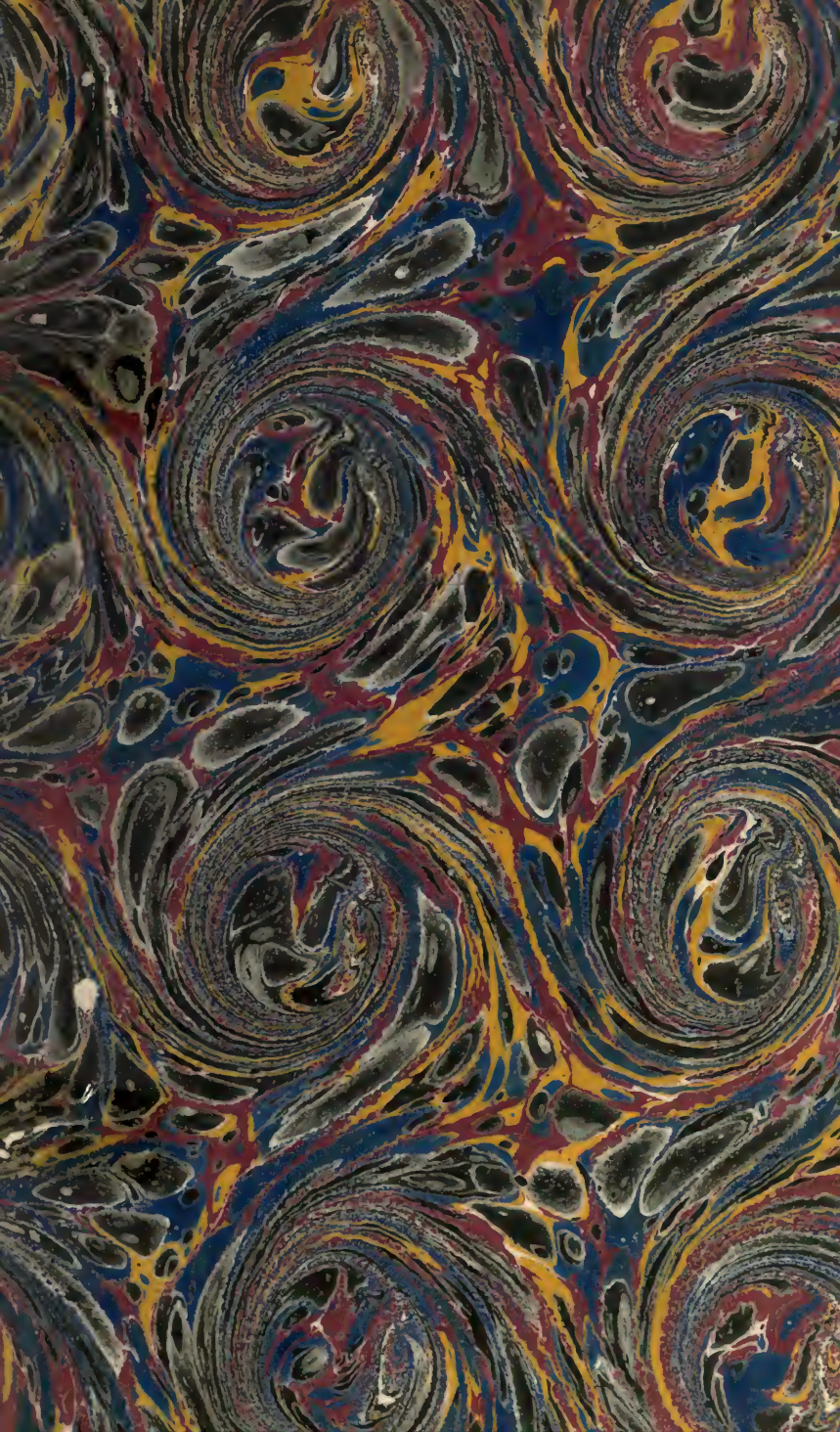

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WORKS

OF

WM. ROBERTSON, D.D.

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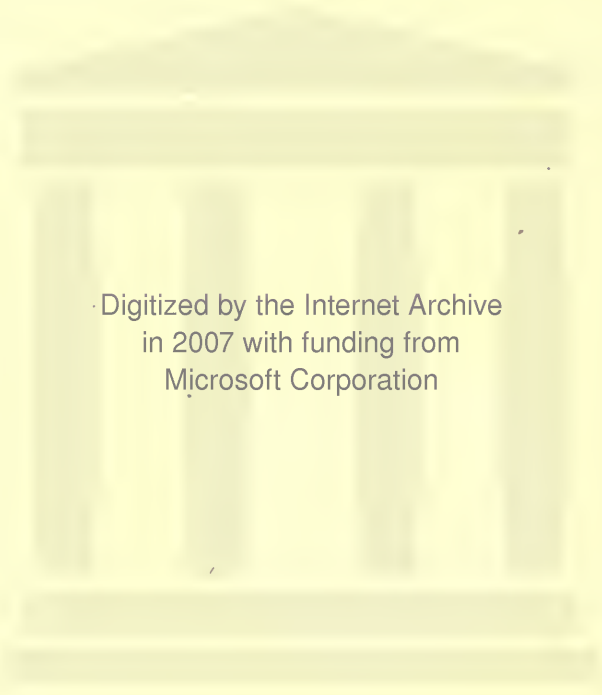

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TO THE KING.

SIR,

I PRESUME to lay before your majesty the history of a period which, if the abilities of the writer were equal to the dignity of the subject, would not be unworthy the attention of a monarch who is no less a judge than a patron of literary merit.

History claims it as her prerogative to offer instruction to kings, as well as to their people. What reflections the reign of the emperor Charles the fifth may suggest to your majesty, it becomes not me to conjecture. But your subjects cannot observe the various calamities which that monarch's ambition to be distinguished as a conqueror brought upon his dominions, without recollecting the felicity of their own times, and looking up with gratitude to their sovereign, who, during the fervour of youth, and amidst the career of victory, possessed such self-command, and maturity of judgment, as to set bounds to his own triumphs, and prefer the blessings of peace to the splendour of military glory.

Posterity will not only celebrate the wisdom of your majesty's choice, but will enumerate the many virtues which render your reign conspicuous for a sacred regard to all the duties, incumbent on the sovereign of a free people.

It is our happiness to feel the influence of these virtues; and to live under the dominion of a prince, who delights more in promoting the public welfare, than in receiving the just praise of his royal beneficence. I am,

Sir,

Your majesty's

Most faithful subject

And most dutiful servant,

WILLIAM ROBERTSON.

PREFACE.

No period in the history of one's own country can be considered as altogether uninteresting. Such transactions as tend to illustrate the progress of its constitution, laws, or manners, merit the utmost attention. Even remote and minute events are objects of a curiosity, which, being natural to the human mind, the gratification of it is attended with pleasure.

But, with respect to the history of foreign states, we must set other bounds to our desire of information. The universal progress of science, during the two last centuries, the art of printing, and other obvious causes, have filled Europe with such a multiplicity of histories, and with such vast collections of historical materials, that the term of human life is too short for the study or even the perusal of them. It is necessary, then, not only for those who are called to conduct the affairs of nations, but for such as inquire and reason concerning them, to remain satisfied with a general knowledge of distant events, and to confine their study of history in detail chiefly to that period, in which the several states of Europe having become intimately connected, the operations of one power are so felt by all, as to influence their councils, and to regulate their measures.

Some boundary, then, ought to be fixed in order to separate these periods. An æra should be pointed out, prior to which each country, little connected with those around it, may trace its own history apart; after which, the transactions of every considerable nation in Europe become interesting and instructive to all. With this intention I undertook to write the history

of the emperor Charles the fifth. It was during his administration that the powers of Europe were formed into one great political system, in which each took a station, wherein it has since remained with less variation, than could have been expected after the shocks occasioned by so many internal revolutions, and so many foreign wars. The great events which happened then have not hitherto spent their force. The political principles and maxims, then established, still continue to operate. The ideas concerning the balance of power, then introduced or rendered general, still influence the councils of nations.

The age of Charles the fifth may, therefore, be considered as the period at which the political state of Europe began to assume a new form. I have endeavoured to render my account of it, an introduction to the history of Europe subsequent to his reign. While his numerous biographers describe his personal qualities and actions; while the historians of different countries relate occurrences the consequences of which were local or transient, it hath been my purpose to record only those great transactions in his reign, the effects of which were universal, or continue to be permanent.

As my readers could derive little instruction from such a history of the reign of Charles the fifth, without some information concerning the state of Europe previous to the sixteenth century, my desire of supplying this has produced a preliminary volume, in which I have attempted to point out and to explain the great causes and events, to whose operation all the improvements in the political state of Europe, from the subversion of the Roman empire to the beginning of the

sixteenth century, must be ascribed. I have exhibited a view of the progress of society in Europe, not only with respect to interior government, laws and manners, but with respect to the command of the national force requisite in foreign operations; and I have described the political constitution of the principal states in Europe at the time when Charles the fifth began his reign.

In this part of my work I have been led into several critical disquisitions, which belong more properly to the province of the lawyer or antiquary, than to that of the historian. These I have placed at the end of the work, under the title of proofs and illustrations. Many of my readers will, probably, give little attention to such researches. To some they may, perhaps, appear the most curious and interesting part of the work. I have carefully pointed out the sources from which I have derived information, and have cited the writers on whose authority I rely, with a minute exactness, which might appear to border upon ostentation, if it were possible to be vain of having read books, many of which nothing but the duty of examining with accuracy whatever I laid before the public, could have induced me to open. As my inquiries conducted me often into paths which were obscure or little frequented, such constant references to the authors who have been my guides, were not only necessary for authenticating the facts which are the foundations of my reasonings, but may be useful in pointing out the way to such as shall hereafter hold the same course, and in enabling them to carry on their researches with greater facility and success.

Every intelligent reader will observe one omission

in my work, the reason of which it is necessary to explain. I have given no account of the conquests of Mexico and Peru, or of the establishment of the Spanish colonies in the continent and islands of America. The history of these events I originally intended to have related at considerable length. But, upon a nearer and more attentive consideration of this part of my plan, I found that the discovery of the new world; the state of society among its ancient inhabitants; their character, manners, and arts; the genius of the European settlements in its various provinces, together with the influence of these upon the systems of policy or commerce in Europe, were subjects so splendid and important, that a superficial view of them could afford little satisfaction; and, on the other hand, to treat of them as extensively as they merited, must produce an episode disproportionate to the principal work. I have, therefore, reserved these for a separate history; which, if the performance now offered to the public shall receive its approbation, I purpose to undertake.

Though, by omitting such considerable but detached articles in the reign of Charles the fifth, I have circumscribed my narration within more narrow limits, I am yet persuaded, from this view of the intention and nature of the work which I thought it necessary to lay before my readers, that the plan must still appear to them too extensive, and the undertaking too arduous. I have often felt them to be so. But my conviction of the utility of such a history prompted me to persevere. With what success I have executed it, the public must now judge. I wait, not without solicitude, for its decision, to which I shall submit with a respectful silence.

A VIEW

OF

THE PROGRESS OF SOCIETY IN EUROPE,

FROM THE SUBVERSION OF THE ROMAN EMPIRE TO THE BEGINNING OF THE SIXTEENTH CENTURY.

THE FIRST SECTION.

VIEW OF THE PROGRESS OF SOCIETY IN EUROPE, WITH RESPECT TO INTERIOR GOVERNMENT, LAWS, AND MANNERS.

The effects of the Roman power on the state of Europe.

TWO great revolutions have happened in the political state and in the manners of the European nations. The first was occasioned by the progress of the Roman power; the second by the subversion of it. When the spirit of conquest led the armies of Rome beyond the Alps, they found all the countries which they invaded, inhabited by people whom they denominated barbarians, but who were nevertheless brave and independent. These defended their ancient possessions with obstinate valour. It was by the superiority of their discipline, rather than that of their courage, that the Romans gained any advantage over them. A single battle did not, as among the effeminate inhabitants of Asia, decide the fate of a state. The vanquished people resumed their arms with fresh spirit, and their undisciplined valour, animated by the love of liberty, supplied

The desolation which it occasioned.

the want of conduct as well as of union. During those long and fierce struggles for dominion or independence, the countries of Europe were successively laid waste, a great part of their inhabitants perished in the field, many were carried into slavery, and a feeble remnant, incapable of further resistance, submitted to the Roman power.

The improvements which it introduced.

The Romans having thus desolated Europe, set themselves to civilize it. The form of government which they established in the conquered provinces, though severe, was regular, and preserved public tranquillity. As a consolation for the loss of liberty, they communicated their arts, sciences, language, and manners, to their new subjects. Europe began to breathe, and to recover strength after the calamities which it had undergone; agriculture was encouraged; population increased; the ruined cities were rebuilt; new towns were founded; an appearance of prosperity succeeded, and repaired, in some degree, the havoc of war.

The bad consequences of their dominion.

This state, however, was far from being happy, or favourable to the improvement of the human mind. The vanquished nations were disarmed by their conquerors, and overawed by soldiers kept in pay to restrain them. They were given up as a prey to rapacious governors, who plundered them with impunity; and were drained of their wealth by exorbitant taxes, levied with so little attention to the situation of the provinces, that the impositions were often increased in proportion to their inability to support them. They were deprived of their most enterprising citizens, who resorted to a distant capital in quest of preferment, or of riches; and were accustomed in all their actions to look up to a superior, and tamely to receive his commands. Under so many depressing circumstances, it was hardly possible that they could retain vigour or generosity of mind. The martial and independent spirit, which had distinguished their ancestors, became, in a great measure, extinct among all the people sub-

jected to the Roman yoke; they lost not only the habit but even the capacity of deciding for themselves, or of acting from the impulse of their own minds; and the dominion of the Romans, like that of all great empires, degraded and debased the human species[a].

A society in such a state could not subsist long. There were defects in the Roman government, even in its most perfect form, which threatened its dissolution. Time ripened these original seeds of corruption, and gave birth to many new disorders. A constitution, unsound, and worn out, must have fallen into pieces of itself, without any external shock. The violent irruption of the Goths, Vandals, Huns, and other barbarians, hastened this event, and precipitated the downfal of the empire. New nations seemed to arise, and to rush from unknown regions, in order to take vengeance on the Romans for the calamities which they had inflicted on mankind. These fierce tribes either inhabited the various provinces in Germany which had never been subdued by the Romans, or were scattered over those vast countries in the north of Europe, and north-west of Asia, which are now occupied by the Danes, the Swedes, the Poles, the subjects of the Russian empire, and the Tartars. Their condition, and transactions, previous to their invasion of the empire, are but little known. Almost all our information with respect to these is derived from the Romans; and as they did not penetrate far into countries which were at that time uncultivated and uninviting, the accounts of their original state given by the Roman historians, are extremely imperfect. The rude inhabitants themselves, destitute of science, as well as of records, and without leisure, or curiosity, to inquire into remote events, retained, perhaps, some indistinct memory of recent occurrences; but beyond these, all was buried in oblivion, or involved in darkness and in fable[b].

The irruption of the barbarous nations.

[a] Note i.

[b] Note ii.

State of the countries from which they issued.

The prodigious swarms which poured in upon the empire from the beginning of the fourth century to the final extinction of the Roman power, have given rise to an opinion that the countries whence they issued were crowded with inhabitants; and various theories have been formed to account for such an extraordinary degree of population as hath produced these countries the appellation of 'the storehouse of nations.' But if we consider, that the countries possessed by the people who invaded the empire were of vast extent; that a great part of these was covered with woods and marshes; that some of the most considerable of the barbarous nations subsisted entirely by hunting or pasturage, in both which states of society large tracts of land are required for maintaining a few inhabitants; and that all of them were strangers to the arts and industry, without which population cannot increase to any great degree, we must conclude, that these countries could not be so populous in ancient times as they are in the present, when they still continue to be less peopled than any other part of Europe or of Asia.

The people fit for daring enterprises.

But the same circumstances that prevented the barbarous nations from becoming populous, contributed to inspire, or to strengthen, the martial spirit by which they were distinguished. Inured by the rigour of their climate, or the poverty of their soil, to hardships which rendered their bodies firm, and their minds vigorous; accustomed to a course of life which was a continual preparation for action; and disdaining every occupation but that of war or of hunting; they undertook and prosecuted their military enterprises with an ardour and impetuosity, of which men softened by the refinements of more polished times can scarcely form any idea[c].

The motives of their first excursions.

Their first inroads into the empire proceeded rather from the love of plunder, than from the desire of new settlements. Roused to arms by some enterprising or

[c] Note iii.

popular leader, they sallied out of their forests; broke in upon the frontier provinces with irresistible violence; put all who opposed them to the sword; carried off the most valuable effects of the inhabitants; dragged along multitudes of captives in chains; wasted all before them with fire or sword; and returned in triumph to their wilds and fastnesses. Their success, together with the accounts which they gave of the unknown conveniencies and luxuries that abounded in countries better cultivated, or blessed with a milder climate than their own, excited new adventurers, and exposed the frontier to new devastations.

Their reasons for settling in the countries which they conquered.

When nothing was left to plunder in the adjacent provinces, ravaged by frequent excursions, they marched further from home, and finding it difficult or dangerous to return, they began to settle in the countries which they had subdued. The sudden and short excursions in quest of booty, which had alarmed and disquieted the empire, ceased; a more dreadful calamity impended. Great bodies of armed men, with their wives and children, and slaves and flocks, issued forth, like regular colonies, in quest of new settlements. People who had no cities, and seldom any fixed habitation, were so little attached to their native soil, that they migrated without reluctance from one place to another. New adventurers followed them. The lands which they deserted were occupied by more remote tribes of barbarians. These, in their turn, pushed forward into more fertile countries, and, like a torrent continually increasing, rolled on, and swept every thing before them. In less than two centuries from their first irruption, barbarians of various names and lineage plundered, and took possession of Thrace, Pannonia, Gaul, Spain, Africa, and at last of Italy, and Rome itself. The vast fabric of the Roman power, which it had been the work of ages to perfect, was, in that short period, overturned from the foundation.

The extent of their settlements.

Many concurring causes prepared the way for this

The circumstances which occasioned the downfal of the Roman empire.

great revolution, and ensured success to the nations which invaded the empire. The Roman commonwealth had conquered the world by the wisdom of its civil maxims, and the rigour of its military discipline. But, under the emperors, the former were forgotten or despised, and the latter was gradually relaxed. The armies of the empire in the fourth and fifth centuries bore scarcely any resemblance to those invincible legions which had been victorious wherever they marched. Instead of freemen, who voluntarily took arms, from the love of glory, or of their country, provincials and barbarians were bribed or forced into service. These were too feeble, or too proud, to submit to the fatigue of military duty. They even complained of the weight of their defensive armour, as intolerable, and laid it aside. Infantry, from which the armies of ancient Rome derived their vigour and stability, fell into contempt; the effeminate and undisciplined soldiers of later times could hardly be brought to venture into the field but on horseback. These wretched troops, however, were the only guardians of the empire. The jealousy of despotism had deprived the people of the use of arms; and subjects, oppressed and rendered incapable of defending themselves, had neither spirit nor inclination to resist their invaders, from whom they had little to fear, because their condition could hardly be rendered more unhappy. At the same time that the martial spirit became extinct, the revenues of the empire gradually diminished. The taste for the luxuries of the east increased to such a pitch in the imperial court, that great sums were carried into India, from which, in the channel of commerce, money never returns. By the large subsidies paid to the barbarous nations, a still greater quantity of specie was withdrawn from circulation. The frontier provinces, wasted by frequent incursions, became unable to pay the customary tribute; and the wealth of the world, which had long centred in the capital of the empire, ceased to flow thither in the same

abundance, or was diverted into other channels. The limits of the empire continued to be as extensive as ever, while the spirit requisite for its defence declined, and its resources were exhausted. A vast body, languid, and almost unanimated, became incapable of any effort to save itself, and was easily overpowered. The emperors, who had the absolute direction of this disordered system, sunk in the softness of eastern luxury, shut up within the walls of a palace, ignorant of war, unacquainted with affairs, and governed entirely by women and eunuchs, or by ministers equally effeminate, trembled at the approach of danger, and, under circumstances which called for the utmost vigour in counsel as well as in action, discovered all the impotent irresolution of fear and of folly.

The circumstances which contributed to the success of the barbarous nations.

In every respect, the condition of the barbarous nations was the reverse of that of the Romans. Among the former, the martial spirit was in full vigour; their leaders were hardy and enterprising; the arts which had enervated the Romans were unknown; and such was the nature of their military institutions, that they brought forces into the field without any trouble, and supported them at little expense. The mercenary and effeminate troops stationed on the frontier, astonished at their fierceness, either fled at their approach, or were routed on the first onset. The feeble expedient to which the emperors had recourse, of taking large bodies of the barbarians into pay, and of employing them to repel new invaders, instead of retarding, hastened the destruction of the empire. These mercenaries soon turned their arms against their masters, and with greater advantage than ever; for, by serving in the Roman armies, they had acquired all the discipline, or skill in war, which the Romans still retained; and, upon adding these to their native ferocity, they became altogether irresistible.

The spirit with which

But though, from these, and many other causes, the progress and conquests of the nations which overran

they carried on war.

the empire, became so extremely rapid, they were accompanied with horrible devastations, and an incredible destruction of the human species. Civilized nations, which take arms upon cool reflection, from motives of policy or prudence, with a view to guard against some distant danger, or to prevent some remote contingency, carry on their hostilities with so little rancour or animosity, that war among them is disarmed of half its terrours. Barbarians are strangers to such refinements. They rush into war with impetuosity, and prosecute it with violence. Their sole object is to make their enemies feel the weight of their vengeance; nor does their rage subside until it be satiated with inflicting on them every possible calamity. It is with such a spirit that the savage tribes in America carry on their petty wars. It was with the same spirit that the more powerful and no less fierce barbarians in the north of Europe, and of Asia, fell upon the Roman empire.

The desolation which they brought upon Europe.

Wherever they marched, their route was marked with blood. They ravaged or destroyed all around them. They made no distinction between what was sacred, and what was profane. They respected no age, or sex, or rank. What escaped the fury of the first inundation, perished in those which followed it. The most fertile and populous provinces were converted into deserts, in which were scattered the ruins of villages and cities, that afforded shelter to a few miserable inhabitants, whom chance had preserved, or the sword of the enemy, wearied with destroying, had spared. The conquerors who first settled in the countries which they had wasted, were expelled or exterminated by new invaders, who, coming from regions further removed from the civilized parts of the world, were still more fierce and rapacious. This brought fresh calamities upon mankind, which did not cease, until the north, by pouring forth successive swarms, was drained of people, and could no longer furnish instruments of destruction. Famine and

pestilence, which always march in the train of war, when it ravages with such inconsiderate cruelty, raged in every part of Europe, and completed its sufferings. If a man were called to fix upon the period in the history of the world, during which the condition of the human race was most calamitous and afflicted, he would, without hesitation, name that which elapsed from the death of Theodosius the great, to the establishment of the Lombards in Italy [d]. The contemporary authors, who beheld that scene of desolation, labour and are at a loss for expressions to describe the horrour of it. 'The scourge of God, the destroyer of nations,' are the dreadful epithets by which they distinguish the most noted of the barbarous leaders; and they compare the ruin which they had brought on the world, to the havoc occasioned by earthquakes, conflagrations, or deluges, the most formidable and fatal calamities which the imagination of man can conceive.

The universal change which they occasioned in the state of Europe.

But no expressions can convey so perfect an idea of the destructive progress of the barbarians, as that which must strike an attentive observer, when he contemplates the total change which he will discover in the state of Europe, after it began to recover some degree of tranquillity, towards the close of the sixth century. The Saxons were, by that time, masters of the southern, and more fertile provinces of Britain; the Franks of Gaul; the Huns of Pannonia; the Goths of Spain; the Goths and Lombards of Italy and the adjacent provinces. Very faint vestiges of the Roman policy, jurisprudence, arts, or literature remained. New forms of government, new laws, new manners, new dresses, new languages, and new names of men and countries, were every where introduced. To make a great or sudden alteration, with respect to any of these,

[d] Theodosius died a.d. 395; the reign of Alboinus in Lombardy began a.d. 571; so that this period was one hundred and seventy-six years.

unless where the ancient inhabitants of a country have been almost totally exterminated, has proved an undertaking beyond the power of the greatest conquerors[e]. The great change which the settlement of the barbarous nations occasioned in the state of Europe, may, therefore, be considered as a more decisive proof, than even the testimony of contemporary historians, of the destructive violence with which these invaders carried on their conquests, and of the havoc which they had made from one extremity of this quarter of the globe to the other[f].

From this state of disorder the laws of government now established must be traced.

In the obscurity of the chaos occasioned by this general wreck of nations, we must search for the seeds of order, and endeavour to discover the first rudiments of the policy and laws now established in Europe. To this source the historians of its different kingdoms have attempted, though with less attention and industry than the importance of the inquiry merits, to trace back the institutions, and customs peculiar to their countrymen. It is not my province to give a minute detail of the progress of government and manners in each particular nation, whose transactions are the object of the following history. But, in order to exhibit a just view of the state of Europe at the opening of the sixteenth century, it is necessary to look back and to contemplate the condition of the northern nations upon their first settlement in those countries which they occupied. It is necessary to mark the great steps by which they advanced from barbarism to refinement, and to point out those general principles and events which, by their uniform as well as extensive operation, conducted all of them to that degree of improvement in policy and in manners which they had attained at the period when Charles the fifth began his reign.

The principles on which the

When nations subject to despotic government make conquests, these serve only to extend the dominion and

[e] Note iv. [f] Note v.

the power of their master. But armies composed of freemen conquer for themselves, not for their leaders. The people who overturned the Roman empire, and settled in its various provinces, were of the latter class. Not only the different nations that issued from the north of Europe, which has always been considered as the seat of liberty, but the Huns and Alans, who inhabited part of those countries which have been marked out as the peculiar region of servitude[g], enjoyed freedom and independence in such a high degree as seems to be scarcely compatible with a state of social union, or with the subordination necessary to maintain it. They followed the chieftain who led them forth in quest of new settlements, not by constraint, but from choice; not as soldiers whom he could order to march, but as volunteers who offered to accompany him[h]. They considered their conquests as a common property, in which all had a title to share, as all had contributed to acquire them[i]. In what manner, or by what principles, they divided among them the lands which they seized, we cannot now determine with any certainty. There is no nation in Europe whose records reach back to this remote period; and there is little information to be got from the uninstructive and meagre chronicles, compiled by writers ignorant of the true end, and unacquainted with the proper objects of history.

northern nations made their settlements in Europe.

This new division of property, however, together with the maxims and manners to which it gave rise, gradually introduced a species of government formerly unknown. This singular institution is now distinguished by the name of the 'feudal system:' and though the barbarous nations which framed it, settled in their new territories, at different times, came from different countries, spoke various languages, and were under the command of separate leaders, the feudal policy and

The feudal government gradually established among them.

[g] De l'Esprit des Loix, liv. xvii. ch. 3. [h] Note vi. [i] Note vii.

laws were established, with little variation, in every kingdom of Europe. This amazing uniformity hath induced some authors[k] to believe that all these nations, notwithstanding so many apparent circumstances of distinction, were originally the same people. But it may be ascribed, with greater probability, to the similar state of society and of manners to which they were accustomed in their native countries, and to the similar situation in which they found themselves on taking possession of their new domains.

National defence the great object of feudal policy.

As the conquerors of Europe had their acquisitions to maintain, not only against such of the ancient inhabitants as they had spared, but against the more formidable inroads of new invaders, self-defence was their chief care, and seems to have been the chief object of their first institutions and policy. Instead of those loose associations, which, though they scarcely diminished their personal independence, had been sufficient for their security while they remained in their original countries, they saw the necessity of uniting in more close confederacy, and of relinquishing some of their private rights in order to attain public safety. Every freeman, upon receiving a portion of the lands which were divided, bound himself to appear in arms against the enemies of the community. This military service was the condition upon which he received and held his lands: and as they were exempted from every other burthen, that tenure, among a warlike people, was deemed both easy and honourable. The king or general, who led them to conquest, continuing still to be the head of the colony, had, of course, the largest portion allotted to him. Having thus acquired the means of rewarding past services, as well as of gaining new adherents, he parcelled out his lands with this view, binding those on whom they were bestowed, to resort to his standard with a number of men in pro-

[k] Procop. de Bello Vandal. ap. Script. Byz. edit. Ven. vol i. p. 345.

portion to the extent of the territory which they received, and to bear arms in his defence. His chief officers imitated the example of the sovereign, and, in distributing portions of their lands among their dependents, annexed the same condition to the grant. Thus a feudal kingdom resembled a military establishment, rather than a civil institution. The victorious army, cantoned out in the country which it had seized, continued ranged under its proper officers, and subordinate to military command. The names of a soldier and of a freeman were synonymous[l]. Every proprietor of land, girt with a sword, was ready to march at the summons of his superior, and to take the field against the common enemy.

The feudal government defective in its provisions for interior order in society.

But though the feudal policy seems to be so admirably calculated for defence against the assaults of any foreign power, its provisions for the interior order and tranquillity of society were extremely defective. The principles of disorder and corruptions are discernible in that constitution under its best and most perfect form. They soon unfolded themselves, and, spreading with rapidity through every part of the system, produced the most fatal effects. The bond of political union was extremely feeble; the sources of anarchy were innumerable. The monarchial and aristocratical parts of the constitution, having no intermediate power to balance them, were perpetually at variance, and justling with each other. The powerful vassals of the crown soon extorted a confirmation for life of those grants of land, which, being at first purely gratuitous, had been bestowed only during pleasure. Not satisfied with this, they prevailed to have them converted into hereditary possessions. One step more completed their usurpations, and rendered them unalienable[m]. With an ambition no less enterprising, and more preposterous, they appropriated to themselves titles of honour,

[l] Du Cange Glossar. voc. miles.

[m] Note viii.

as well as offices of power or trust. These personal marks of distinction, which the public admiration bestows on illustrious merit, or which the public confidence confers on extraordinary abilities, were annexed to certain families, and transmitted like fiefs, from father to son by hereditary right. The crown vassals having thus secured the possession of their lands and dignities, the nature of the feudal institutions, which, though founded on subordination, verged to independence, led them to new, and still more dangerous encroachments on the prerogatives of the sovereign. They obtained the power of supreme jurisdiction, both civil and criminal, within their own territories; the right of coining money; together with the privilege of carrying on war against their private enemies, in their own name, and by their own authority. The ideas of political subjection were almost entirely lost, and frequently scarce any appearance of feudal subordination remained. Nobles who had acquired such enormous power, scorned to consider themselves as subjects. They aspired openly at being independent; the bonds which connected the principal members of the constitution with the crown, were dissolved. A kingdom, considerable in name and in extent, was broken into as many separate principalities as it contained powerful barons. A thousand causes of jealousy and discord subsisted among them, and gave rise to as many wars. Every country in Europe, wasted or kept in continual alarm during these endless contests, was filled with castles and places of strength, erected for the security of the inhabitants; not against foreign force, but against internal hostilities. An universal anarchy, destructive, in a great measure, of all the advantages which men expect to derive from society, prevailed. The people, the most numerous as well as the most useful part of the community, were either reduced to a state of actual servitude, or treated with the same insolence and rigour as if they had been degraded into that

wretched condition[n]. The king, stripped of almost every prerogative, and without authority to enact or to execute salutary laws, could neither protect the innocent, nor punish the guilty. The nobles, superior to all restraint, harassed each other with perpetual wars, oppressed their fellow-subjects, and humbled or insulted their sovereign. To crown all, time gradually fixed, and rendered venerable, this pernicious system, which violence had established.

It prevented nations likewise from acting with vigour in their external operations.

Such was the state of Europe with respect to the interior administration of government from the seventh to the eleventh century. All the external operations of its various states, during this period, were, of course, extremely feeble. A kingdom dismembered, and torn with dissension, without any common interest to rouse, or any common head to conduct its force, was incapable of acting with vigour. Almost all the wars in Europe, during the ages which I have mentioned, were trifling, indecisive, and productive of no considerable event. They resembled the short incursions of pirates or banditti, rather than the steady operations of a regular army. Every baron, at the head of his vassals, carried on some petty enterprise, to which he was prompted by his own ambition, or revenge. The state itself, destitute of union, either remained altogether inactive, or, if it attempted to make any effort, that served only to discover its impotence. The superior genius of Charlemagne, it is true, united all these disjointed and discordant members, and, forming them again into one body, restored to government that degree of activity which distinguishes his reign, and renders the transactions of it, objects not only of attention but of admiration to more enlightened times. But this state of union and vigour, not being natural to the feudal government, was of short duration. Immediately upon his death, the spirit which animated and sustained the vast sys-

[n] Note ix.

tem which he had established being withdrawn, it broke into pieces. All the calamities which flow from anarchy and discord, returning with additional force, afflicted the different kingdoms into which his empire was split. From that time to the eleventh century, a succession of uninteresting events, a series of wars, the motives as well as the consequences of which were unimportant, fill and deform the annals of all the nations in Europe.

The fatal effects of this state of society on sciences and arts;

To these pernicious effects of the feudal anarchy may be added its fatal influence on the character and improvement of the human mind. If men do not enjoy the protection of regular government, together with the expectation of personal security, which naturally flows from it, they never attempt to make progress in science, nor aim at attaining refinement in taste, or in manners. That period of turbulence, oppression, and rapine, which I have described, was ill suited to favour improvement in any of these. In less than a century after the barbarous nations settled in their new conquests, almost all the effects of the knowledge and civility, which the Romans had spread through Europe, disappeared. Not only the arts of elegance, which minister to luxury, and are supported by it, but many of the useful arts, without which life can scarcely be considered as comfortable, were neglected or lost. Literature, science, taste, were words little in use during the ages which we are contemplating; or, if they occur at any time, eminence in them is ascribed to persons and productions so contemptible, that it appears their true import was little understood. Persons of the highest rank, and in the most eminent stations, could not read or write. Many of the clergy did not understand the breviary which they were obliged daily to recite; some of them could scarcely read it[o]. The memory of past transactions was, in a great degree, lost, or pre-

[o] Note x.

served in annals filled with trifling events or legendary tales. Even the codes of laws published by the several nations which established themselves in the different countries of Europe, fell into disuse, while, in their place, customs vague and capricious were substituted. The human mind, neglected, uncultivated, and depressed, continued in the most profound ignorance. Europe, during four centuries, produced few authors who merit to be read, either on account of the elegance of their composition, or the justness and novelty of their sentiments. There are few inventions, useful or ornamental to society, of which that long period can boast.

upon religion;

Even the christian religion, though its precepts are delivered, and its institutions are fixed in scripture with a precision which should have exempted them from being misinterpreted or corrupted, degenerated, during those ages of darkness, into an illiberal superstition. The barbarous nations, when converted to christianity, changed the object, not the spirit, of their religious worship. They endeavoured to conciliate the favour of the true God by means not unlike to those which they had employed in order to appease their false deities. Instead of aspiring to sanctity and virtue, which alone can render men acceptable to the great author of order and of excellence, they imagined that they satisfied every obligation of duty by a scrupulous observance of external ceremonies[p]. Religion, according to their conceptions of it, comprehended nothing else; and the rites, by which they persuaded themselves that they could gain the favour of heaven, were of such a nature as might have been expected from the rude ideas of the ages which devised and introduced them. They were either so unmeaning as to be altogether unworthy of the being to whose honour they were consecrated; or so absurd as to be a disgrace to reason and humanity[q]. Charlemagne in France, and

[p] Note xi.

[q] Note xii.

Alfred the great in England, endeavoured to dispel this darkness, and gave their subjects a short glimpse of light and knowledge. But the ignorance of the age was too powerful for their efforts and institutions. The darkness returned, and settled over Europe more thick and heavy than before.

upon the character and virtues of the human mind.

As the inhabitants of Europe, during these centuries, were strangers to the arts which embellish a polished age, they were destitute of the virtues which abound among people who continue in a simple state. Force of mind, a sense of personal dignity, gallantry in enterprise, invincible perseverance in execution, contempt of danger and of death, are the characteristic virtues of uncivilized nations. But these are all the offspring of equality and independence, both which the feudal institutions had destroyed. The spirit of domination corrupted the nobles; the yoke of servitude depressed the people; the generous sentiments inspired by a sense of equality were extinguished, and hardly any thing remained to be a check on ferocity and violence. Human society is in its most corrupted state at that period when men have lost their original independence and simplicity of manners, but have not attained that degree of refinement which introduces a sense of decorum and of propriety in conduct, as a restraint on those passions which lead to heinous crimes. Accordingly, a greater number of those atrocious actions, which fill the mind of man with astonishment and horrour, occur in the history of the centuries under review, than in that of any period of the same extent in the annals of Europe. If we open the history of Gregory of Tours, or of any contemporary author, we meet with a series of deeds of cruelty, perfidy, and revenge, so wild and enormous, as almost to exceed belief.

From the beginning of the ele-

But, according to the observation of an elegant and profound historian[r], there is an ultimate point of de-

[r] Hume's History of England, vol. ii. p. 441.

pression, as well as of exaltation, from which human affairs naturally return in a contrary progress, and beyond which they never pass either in their advancement or decline. When defects, either in the form or in the administration of government, occasion such disorders in society as are excessive and intolerable, it becomes the common interest to discover and to apply such remedies as will most effectually remove them. Slight inconveniencies may be long overlooked or endured; but when abuses grow to a certain pitch, the society must go to ruin, or must attempt to reform them. The disorders in the feudal system, together with the corruption of taste and manners consequent upon these, which had gone on increasing during a long course of years, seemed to have attained their utmost point of excess towards the close of the eleventh century. From that æra, we may date the return of government and manners in a contrary direction, and can trace a succession of causes and events which contributed, some with a nearer and more conspicuous, others with a more remote and less perceptible influence, to abolish confusion and barbarism, and to introduce order, regularity, and refinement.

Eleventh century government and manners begin to improve.

In pointing out and explaining these causes and events, it is not necessary to observe the order of time with a chronological accuracy; it is of more importance to keep in view their mutual connexion and dependence, and to show how the operation of one event, or one cause, prepared the way for another, and augmented its influence. We have hitherto been contemplating the progress of that darkness which spread over Europe, from its first approach to the period of greatest obscuration; a more pleasant exercise begins here, to observe the first dawnings of returning light, to mark the various accessions by which it gradually increased and advanced towards the full splendour of day.

Necessary to point out the causes and events which contribute towards this improvement.

I. The crusades, or expeditions in order to rescue

The tendency of the crusades to introduce a change in government and manners. The more remote causes of these expeditions.

the Holy Land out of the hands of infidels, seemed to be the first event that roused Europe from the lethargy in which it had been long sunk, and that tended to introduce any considerable change in government or in manners. It is natural to the human mind to view those places which have been distinguished by being the residence of any illustrious personage, or the scene of any great transaction, with some degree of delight and veneration. To this principle must be ascribed the superstitious devotion with which christians, from the earliest ages of the church, were accustomed to visit that country which the Almighty had selected as the inheritance of his favourite people, and in which the son of God had accomplished the redemption of mankind. As this distant pilgrimage could not be performed without considerable expense, fatigue, and danger, it appeared the more meritorious, and came to be considered as an expiation for almost every crime. An opinion which spread with rapidity over Europe about the close of the tenth, and beginning of the eleventh century, and which gained universal credit, wonderfully augmented the number of credulous pilgrims, and increased the ardour with which they undertook this useless voyage.

The thousand years mentioned by St. John[s] were supposed to be accomplished, and the end of the world to be at hand. A general consternation seized mankind; many relinquished their possessions; and, abandoning their friends and families, hurried with precipitation to the Holy Land, where they imagined that Christ would quickly appear to judge the world[t]. While Palestine continued subject to the caliphs, they had encouraged the resort of pilgrims to Jerusalem; and considered this as a beneficial species of com-

[s] Revel. xx. 2, 3, 4.

[t] Chronic. Will. Godelli ap. Bouquet, Recueil des Historiens de France, tom. x. p. 262. Vita Abbonis, ibid. p. 332. Chronic. S. Pantaleonis ap. Eccard. Corp. Scrip. medii ævi, vol. i. p. 909. Annalista Saxo, ibid. 576.

merce, which brought into their dominions gold and silver, and carried nothing out of them but relics and consecrated trinkets. But the Turks having conquered Syria about the middle of the eleventh century, pilgrims were exposed to outrages of every kind from these fierce barbarians[u]. This change happening precisely at the juncture when the panic terrour, which I have mentioned, rendered pilgrimages most frequent, filled Europe with alarm and indignation. Every person who returned from Palestine related the dangers which he had encountered, in visiting the holy city, and described with exaggeration the cruelty and vexations of the Turks.

The immediate occasion of them.

When the minds of men were thus prepared, the zeal of a fanatical monk, who conceived the idea of leading all the forces of christendom against the infidels, and of driving them out of the Holy Land by violence, was sufficient to give a beginning to that wild enterprise. Peter the hermit, for that was the name of this martial apostle, ran from province to province with a crucifix in his hand, exciting princes and people to this holy war, and, wherever he came, kindled the same enthusiastic ardour for it with which he himself was animated. The council of Placentia, where upwards of thirty thousand persons were assembled, pronounced the scheme to have been suggested by the immediate inspiration of heaven. In the council of Clermont, still more numerous, as soon as the measure was proposed, all cried out with one voice, "It is the will of God." Persons of all ranks catched the contagion; not only the gallant nobles of that age, with their martial followers, whom we may suppose apt to be allured by the boldness of a romantic enterprise, but men in the more humble and pacific stations of life; ecclesiastics of every order, and even women and children,

[u] Jo. Dan. Schoepflini de sacris Gallorum in Orientem Expeditionibus, p. 4. Argent. 1726. 4to.

engaged with emulation in an undertaking which was deemed sacred and meritorious. If we may believe the concurring testimony of contemporary authors, six millions of persons assumed the cross[x], which was the badge that distinguished such as devoted themselves to this holy warfare. All Europe, says the princess Anna Comnena, torn up from the foundation, seemed ready to precipitate itself in one united body upon Asia[y]. Nor did the fumes of this enthusiastic zeal evaporate at once: the frenzy was as lasting as it was extravagant. During two centuries, Europe seems to have had no object but to recover, or keep possession of the Holy Land; and through that period, vast armies continued to march thither[z].

The success of the crusades.

The first efforts of valour, animated by enthusiasm, were irresistible; part of the lesser Asia, all Syria and Palestine, were wrested from the infidels; the banner of the cross was displayed on mount Sion; Constantinople, the capital of the christian empire in the east, was afterwards seized by a body of those adventurers, who had taken arms against the mahometans; and an earl of Flanders, and his descendants, kept possession of the imperial throne during half a century. But though the first impression of the crusaders was so unexpected that they made their conquests with great ease, they found infinite difficulty in preserving them. Establishments so distant from Europe, surrounded by warlike nations animated with fanatical zeal scarcely inferior to that of the crusaders themselves, were perpetually in
A.D. 1291. danger of being overturned. Before the expiration of the thirteenth century, the christians were driven out of all their Asiatic possessions, in acquiring of which incredible numbers of men had perished, and immense sums of money had been wasted. The only common

[x] Fulcherius Carnotensis ap. Bongarsii Gesta Dei per Francos, vol. i. 387. edit. Han. 1611.

[y] Alexias, lib. x. ap. Byz. Script. vol. xi. p. 224. [z] Note xiii.

enterprise in which the European nations ever engaged, and which they all undertook with equal ardour, remains a singular monument of human folly.

The beneficial effects of the crusades on manners.

But from these expeditions, extravagant as they were, beneficial consequences followed, which had neither been foreseen nor expected. In their progress towards the Holy Land, the followers of the cross marched through countries better cultivated, and more civilized than their own. Their first rendezvous was commonly in Italy, in which Venice, Genoa, Pisa, and other cities, had begun to apply themselves to commerce, and had made considerable advances towards wealth as well as refinement. They embarked there, and, landing in Dalmatia, pursued their route by land to Constantinople. Though the military spirit had been long extinct in the eastern empire, and a despotism of the worst species had annihilated almost every public virtue; yet Constantinople, having never felt the destructive rage of the barbarous nations, was the greatest, as well as the most beautiful city in Europe, and the only one in which there remained any image of the ancient elegance in manners and arts. The naval power of the eastern empire was considerable. Manufactures of the most curious fabric were carried on in its dominions. Constantinople was the chief mart in Europe for the commodities of the East Indies. Although the Saracens and Turks had torn from the empire many of its richest provinces, and had reduced it within very narrow bounds, yet great wealth flowed into the capital from these various sources, which not only cherished such a taste for magnificence, but kept alive such a relish for the sciences, as appears considerable when compared with what was known in other parts of Europe. Even in Asia, the Europeans, who had assumed the cross, found the remains of the knowledge and arts which the example and encouragement of the caliphs had diffused through their empire. Although the attention of the historians of the crusades

was fixed on other objects than the state of society and manners among the nations which they invaded; although most of them had neither taste nor discernment enough to describe these; they relate, however, such signal acts of humanity and generosity in the conduct of Saladin, as well as some other leaders of the mahometans, as give us a very high idea of their manners. It was not possible for the crusaders to travel through so many countries, and to behold their various customs and institutions, without acquiring information and improvement. Their views enlarged; their prejudices wore off; new ideas crowded into their minds; and they must have been sensible, on many occasions, of the rusticity of their own manners when compared with those of a more polished people. These impressions were not so slight as to be effaced upon their return to their native countries. A close intercourse subsisted between the east and west during two centuries; new armies were continually marching from Europe to Asia, while former adventurers returned home, and imported many of the customs to which they had been familiarized by a long residence abroad. Accordingly, we discover, soon after the commencement of the crusades, greater splendour in the courts of princes, greater pomp in public ceremonies, a more refined taste in pleasure and amusements, together with a more romantic spirit of enterprise spreading gradually over Europe; and to these wild expeditions, the effect of superstition or folly, we owe the first gleams of light which tended to dispel barbarism and ignorance.

Their influence on the state of property.

But these beneficial consequences of the crusades took place slowly; their influence upon the state of property, and, consequently, of power, in the different kingdoms of Europe, was more immediate as well as discernible. The nobles who assumed the cross, and bound themselves to march to the Holy Land, soon perceived that great sums were necessary towards defraying the expense of such a distant expedition, and

enabling them to appear with suitable dignity at the head of their vassals. But the genius of the feudal system was averse to the imposition of extraordinary taxes; and subjects in that age were unaccustomed to pay them. No expedient remained for levying the sums requisite, but the sale of their possessions. As men were inflamed with romantic expectations of the splendid conquests which they hoped to make in Asia, and possessed with such zeal for recovering the Holy Land, as swallowed up every other passion, they relinquished their ancient inheritances without any reluctance, and for prices far below their value, that they might sally forth as adventurers in quest of new settlements in unknown countries. The monarchs of the great kingdoms in the west, none of whom had engaged in the first crusade, eagerly seized this opportunity of annexing considerable territories to their crowns at small expense[a]. Besides this, several great barons, who perished in the holy war, having left no heirs, their fiefs reverted of course to their respective sovereigns; and by these accessions of property, as well as power, taken from the one scale and thrown into the other, the regal authority rose in proportion as that of the aristocracy declined. The absence, too, of many potent vassals, accustomed to control and give law to their sovereigns, afforded them an opportunity of extending their prerogative, and of acquiring a degree of weight in the constitution which they did not formerly possess. To these circumstances we may add, that as all who assumed the cross were taken under the immediate protection of the church, and its heaviest anathemas were denounced against such as should disquiet or annoy those who had devoted themselves to this service; the private quarrels and hostilities which banished tranquillity from a feudal kingdom, were suspended or extinguished; a more general and steady adminis-

[a] Wilhelm. Malmsbur. Guibert. Abbas ap. Bongars. vol. i. 481.

tration of justice began to be introduced, and some advances were made towards the establishment of regular government in the several kingdoms of Europe [b].

Their commercial effect.

The commercial effects of the crusades were not less considerable than those which I have already mentioned. The first armies under the standard of the cross, which Peter the hermit and Godfrey of Bouillon led through Germany and Hungary to Constantinople, suffered so much by the length of the march, as well as by the fierceness of the barbarous people who inhabited those countries, that it deterred others from taking the same route; and, rather than encounter so many dangers, they chose to go by sea. Venice, Genoa, and Pisa furnished the transports on which they embarked. The sum which these cities received merely for freight from such numerous armies was immense [c]. This, however, was but a small part of what they gained by the expeditions to the Holy Land; the crusaders contracted with them for military stores and provisions; their fleets kept on the coast as the armies advanced by land; and, supplying them with whatever was wanting, engrossed all the profits of a branch of commerce which in every age has been extremely lucrative. The success which attended the arms of the crusaders was productive of advantages still more permanent. There are charters yet extant, containing grants to the Venetians, Pisans, and Genoese, of the most extensive immunities in the several settlements which the christians made in Asia. All the commodities which they imported or exported are thereby exempted from every imposition; the property of entire suburbs in some of the maritime towns, and of large streets in others, is vested in them; and all questions, arising among persons settled within their precincts, or who

[b] Du Cange, Glossar. voc. *Cruce signatus.* Guil. Abbas ap. Bongars. vol. i. 480. 482. See also Note xiv.

[c] Muratori Antiquit. Italic. medii ævi, vol. ii. 905.

traded under their protection, are appointed to be tried by their own laws, and by judges of their own appointment[d]. When the crusaders seized Constantinople, and placed one of their own leaders on the imperial throne, the Italian states were likewise gainers by that event. The Venetians, who had planned the enterprise, and took a considerable part in carrying it into execution, did not neglect to secure to themselves the chief advantages redounding from its success. They made themselves masters of part of the ancient Peloponnesus in Greece, together with some of the most fertile islands in the Archipelago. Many valuable branches of the commerce, which formerly centred in Constantinople, were transferred to Venice, Genoa, or Pisa. Thus a succession of events, occasioned by the holy war, opened various sources, from which wealth flowed in such abundance into these cities[e], as enabled them, in concurrence with another institution, which shall be immediately mentioned, to secure their own liberty and independence.

The establishment of communities favourable to government and order.

II. The institution to which I alluded was the forming of cities into communities, corporations, or bodies politic, and granting them the privilege of municipal jurisdiction, which contributed more, perhaps, than any other cause, to introduce regular government, police, and arts, and to diffuse them over Europe. The feudal government had degenerated into a system of oppression. The usurpations of the nobles were become unbounded and intolerable: they had reduced the great body of the people into a state of actual servitude: the condition of those dignified with the name of freemen, was often little preferable to that of the other. Nor was such oppression the portion of those alone who dwelt in the country, and were employed in

[d] Muratori Antiquit. Italic. medii ævi, vol. ii. 906, etc.

[e] Villehardouin, Hist. de Constant. sous les Empereurs François, 105, etc.

The ancient state of cities.

cultivating the estate of their master. Cities and villages found it necessary to hold of some great lord, on whom they might depend for protection, and became no less subject to his arbitrary jurisdiction. The inhabitants were deprived of those rights, which in social life are deemed most natural and unalienable. They could not dispose of the effects which their own industry had acquired, either by a latter will, or by any deed executed during their life[f]. They had no right to appoint guardians for their children during their minority. They were not permitted to marry without purchasing the consent of the lord on whom they depended[g]. If once they had commenced a lawsuit, they durst not terminate it by an accommodation, because that would have deprived the lord, in whose court they pleaded, of the perquisites due to him on passing sentence[h]. Services of various kinds, no less disgraceful than oppressive, were exacted from them without mercy or moderation. The spirit of industry was checked in some cities by absurd regulations, and in others by unreasonable exactions; nor would the narrow and oppressive maxims of a military aristocracy have permitted it ever to rise to any degree of height or vigour[i].

The freedom of cities first established in Italy;

But as soon as the cities of Italy began to turn their attention towards commerce, and to conceive some idea of the advantages which they might derive from it, they became impatient to shake off the yoke of their insolent lords, and to establish among themselves such a free and equal government as would render property secure, and industry flourishing. The German emperors, especially those of the Franconian and Suabian

[f] Dacherii Spiceleg. tom. xi. 374, 375. edit. in 4to. Ordonnances des Rois de France, tom. iii. 204. No. 2. 6.

[g] Ordonnances des Rois de France, tom. i. p. 22. tom. iii. 203. No. 1. Murat. Antiquit. Ital. vol. iv. p. 20. Dacher. Spicel. vol. xi. 325. 341.

[h] Dacher. Spicel. vol. ix. 182.

[i] M. l'Abbé Mably, Observat. sur l'Hist. de France, tom. ii. p. 2. 96.

lines, as the seat of their government was far distant from Italy, possessed a feeble and imperfect jurisdiction in that country. Their perpetual quarrels, either with the popes or with their own turbulent vassals, diverted their attention from the interior police of Italy, and gave constant employment to their arms. These circumstances encouraged the inhabitants of some of the Italian cities, towards the beginning of the eleventh century, to assume new privileges, to unite together more closely, and to form themselves into bodies politic under the government of laws established by common consent[k]. The rights, which many cities acquired by bold or fortunate usurpations, others purchased from the emperors, who deemed themselves gainers when they received large sums for immunities which they were no longer able to withhold; and some cities obtained them gratuitously, from the generosity or facility of the princes on whom they depended. The great increase of wealth, which the crusades brought into Italy, occasioned a new kind of fermentation and activity in the minds of the people, and excited such a general passion for liberty and independence, that, before the conclusion of the last crusade, all the considerable cities in that country had either purchased or had extorted large immunities from the emperors[l].

This innovation was not long known in Italy before it made its way into France. Louis le gros, in order to create some power that might counterbalance those potent vassals who controlled, or gave law to the crown, first adopted the plan of conferring new privileges on the towns situated within its own domain. These privileges were called 'charters of community,' by which he enfranchised the inhabitants, abolished all marks of servitude, and formed them into corporations or bodies politic, to be governed by a council and magistrates of their own nomination. These magistrates had the right

is introduced into France and into other countries of Europe. A.D.1108—1137.

[k] Murat. Antiquit. Ital. vol. iv. p. 5.

[l] Note xv.

of administering justice within their own precincts, of levying taxes, of embodying and training to arms the militia of the town, which took the field when required by the sovereign, under the command of officers appointed by the community. The great barons imitated the example of their monarch, and granted like immunities to the towns within their territories. They had wasted such great sums in their expeditions to the Holy Land, that they were eager to lay hold on this new expedient for raising money, by the sale of those charters of liberty. Though the institution of communities was as repugnant to their maxims of policy, as it was adverse to their power, they disregarded remote consequences, in order to obtain present relief. In less than two centuries, servitude was abolished in most of the towns in France, and they became free corporations, instead of dependent villages, without jurisdiction or privileges [m]. Much about the same period, the great cities in Germany began to acquire like immunities, and laid the foundation of their present liberty and independence [n]. The practice spread quickly over Europe, and was adopted in Spain, England, Scotland, and all the other feudal kingdoms [o].

Its happy effects upon the condition of the inhabitants;

The good effects of this new institution were immediately felt, and its influence on government as well as manners was no less extensive than salutary. A great body of the people was released from servitude, and from all the arbitrary and grievous impositions to which that wretched condition had subjected them. Towns, upon acquiring the right of community, became so many little republics, governed by known and equal laws. Liberty was deemed such an essential and characteristic part in their constitution, that if any slave took refuge in one of them, and resided there during a year without being claimed, he was instantly declared

[m] Note xvi. [n] Note xvii.
[o] Note xviii.

a freeman, and admitted as a member of the community [p].

upon the power of the nobility;

As one part of the people owed their liberty to the erection of communities, another was indebted to them for their security. Such had been the state of Europe during several centuries, that self-preservation obliged every man to court the patronage of some powerful baron, and in times of danger his castle was the place to which all resorted for safety. But towns surrounded with walls, whose inhabitants were regularly trained to arms, and bound by interest, as well as by the most solemn engagements, reciprocally to defend each other, afforded a more commodious and secure retreat. The nobles began to be considered as of less importance when they ceased to be the sole guardians to whom the people could look up for protection against violence.

upon the power of the crown;

If the nobility suffered some diminution of their credit and power by the privileges granted to the cities, the crown acquired an increase of both. As there were no regular troops kept on foot in any of the feudal kingdoms, the monarch could bring no army into the field, but what was composed of soldiers furnished by the crown vassals, always jealous of the regal authority; nor had he any funds for carrying on the public service but such as they granted him with a very sparing hand. But when the members of communities were permitted to bear arms, and were trained to the use of them, this in some degree supplied the first defect, and gave the crown the command of a body of men independent of its great vassals. The attachment of the cities to their sovereigns, whom they respected as the first authors of their liberties, and whom they were obliged to court as the protectors of their immunities against the domineering spirit of the

[p] Statut. Humberti Bellojoci, Dacher. Spicel. vol. ix. 182. 185. Charta Comit. Forens. ibid. 193.

nobles, contributed somewhat towards removing the second evil, as, on many occasions, it procured the crown supplies of money, which added new force to government [q].

upon the increase of industry.

The acquisition of liberty made such a happy change in the condition of all the members of communities, as roused them from that inaction into which they had been sunk by the wretchedness of their former state. The spirit of industry revived. Commerce became an object of attention, and began to flourish. Population increased. Independence was established; and wealth flowed into cities which had long been the seat of poverty and oppression. Wealth was accompanied by its usual attendants, ostentation and luxury; and though the former was formal and cumbersome, and the latter inelegant, they led gradually to greater refinement in manners, and in the habits of life. Together with this improvement in manners, a more regular species of government and police was introduced. As cities grew to be more populous, and the occasions of intercourse among men increased, statutes and regulations multiplied of course, and all became sensible that their common safety depended on observing them with exactness, and on punishing such as violated them, with promptitude and rigour. Laws and subordination, as well as polished manners, taking their rise in cities, diffused themselves insensibly through the rest of the society.

The inhabitants of cities acquire political power, as members of the constitution.

III. The inhabitants of cities having obtained personal freedom and municipal jurisdiction, soon acquired civil liberty and political power. It was a fundamental principle in the feudal system of policy, that no freeman could be subjected to new laws or taxes unless by his own consent. In consequence of this, the vassals of every baron were called to his court, in which they established, by mutual consent, such regulations as they

[q] Ordon. des Rois de France, tom. i. 602. 785.; tom. ii. 318. 422.

deemed most beneficial to their small society, and granted their superior such supplies of money as were proportioned to their abilities or to his wants. The barons themselves, conformably to the same maxim, were admitted into the supreme assembly of the nation, and concurred with the sovereign in enacting laws, or in imposing taxes. As the superior lord, according to the original plan of feudal policy, retained the direct property of those lands which he granted, in temporary possession, to his vassals; the law, even after fiefs became hereditary, still supposed this original practice to subsist. The great council of each nation, whether distinguished by the name of a parliament, a diet, the cortes, or the states-general, was composed entirely of such barons, and dignified ecclesiastics, as held immediately of the crown. Towns, whether situated within the royal domain or on the lands of a subject, depended originally for protection on the lord of whom they held. They had no legal name, no political existence, which could entitle them to be admitted into the legislative assembly, or could give them any authority there. But as soon as they were enfranchised, and formed into bodies corporate, they became legal and independent members of the constitution, and acquired all the rights essential to freemen. Amongst these, the most valuable was the privilege of a decisive voice in enacting public laws, and granting national subsidies. It was natural for cities accustomed to a form of municipal government according to which no regulation could be established within the community, and no money could be raised, but by their own consent, to claim this privilege. The wealth, the power and consideration which they acquired on recovering their liberty, added weight to their claim; and favourable events happened, or fortunate conjunctures occurred, in the different kingdoms of Europe, which facilitated their obtaining possession of this important right. In England, one of the first countries

in which the representatives of boroughs were admitted into the great council of the nation, the barons who
A.D. 1265. took arms against Henry the third, summoned them to attend parliament, in order to add greater popularity to their party, and to strengthen the barrier against the encroachment of regal power. In France, Philip the fair, a monarch no less sagacious than enterprising, considered them as instruments which might be employed with equal advantage to extend the royal prerogative, to counterbalance the exorbitant power of the nobles, and to facilitate the imposition of new taxes. With these views, he introduced the deputies of such towns as were formed into communities, into the states-general of the nation[r]. In the empire, the wealth and immunities of the imperial cities placed them on a level with the most considerable members of the Germanic body. Conscious of their own power and dignity, they
A.D. 1293. pretended to the privilege of forming a separate bench in the diet; and made good their pretensions[s].

The happy effects of this upon government.

But in what way soever the representatives of cities first gained a place in the legislature, that event had great influence on the form and genius of government. It tempered the rigour of aristocratical oppression with a proper mixture of popular liberty: it secured to the great body of the people, who had formerly no representatives, active and powerful guardians of their rights and privileges: it established an intermediate power between the king and the nobles, to which each had recourse alternately, and which at some times opposed the usurpations of the former, on other occasions checked the encroachments of the latter. As soon as the representatives of communities gained any degree of credit and influence in the legislature, the spirit of laws became different from what it had formerly been; it flowed from new principles; it was directed towards

[r] Pasquier, Recherches de la France, p. 81. edit. Par. 1633.
[s] Pfeffel, Abrégé de l'Histoire et Droit d'Allemagne, p. 408. 451.

new objects; equality, order, the public good, and the redress of grievances, were phrases and ideas brought into use, and which grew to be familiar in the statutes and jurisprudence of the European nations. Almost all the efforts in favour of liberty, in every country of Europe, have been made by this new power in the legislature. In proportion as it rose to consideration and influence, the severity of the aristocratical spirit decreased; and the privileges of the people became gradually more extensive, as the ancient and exorbitant jurisdiction of the nobles was abridged [t].

The people acquire liberty by enfranchisement.

IV. The inhabitants of towns having been declared free by the charters of communities, that part of the people which resided in the country, and was employed in agriculture, began to recover liberty by enfranchisement. During the rigour of feudal government, as hath been already observed, the great body of the lower people was reduced to servitude. They were slaves fixed to the soil which they cultivated, and together with it were transferred from one proprietor to another, by sale, or by conveyance. The spirit of feudal policy did not favour the enfranchisement of that order of men. It was an established maxim, that no vassal could legally diminish the value of a fief, to the detriment of the lord from whom he had received it. In consequence of this, manumission by the authority of the immediate master was not valid; and unless it was confirmed by the superior lord of whom he held, slaves belonging to the fief did not acquire a complete right to their liberty. Thus it became necessary to ascend through all the gradations of feudal holding to the king, the lord paramount [u]. A form of procedure so tedious and troublesome, discouraged the practice of manumission. Domestic or personal slaves often obtained liberty from the humanity or beneficence of

[t] Note xix.

[u] Etablissemens de St. Louis, liv. ii. chap. 34. Ordon. tom. i. 283. not. (a).

their masters, to whom they belonged in absolute property. The condition of slaves fixed to the soil, was much more unalterable.

The motives and progress of this.

But the freedom and independence which one part of the people had obtained by the institution of communities, inspired the other with the most ardent desire of acquiring the same privileges; and their superiors, sensible of the various advantages which they had derived from their former concessions to their dependents, were less unwilling to gratify them by the grant of new immunities. The enfranchisement of slaves became more frequent; and the monarchs of France, prompted by necessity no less than by their inclination to reduce the power of the nobles, endeavoured to render it general. Louis the tenth, and Philip the long, issued ordinances, declaring, "That as all men were by nature free-born, and as their kingdom was called the kingdom of Franks, they determined that it should be so in reality as well as in name; therefore they appointed that enfranchisements should be granted throughout the whole kingdom, upon just and reasonable conditions[x]." These edicts were carried into immediate execution within the royal domain. The example of their sovereigns, together with the expectation of considerable sums which they might raise by this expedient, led many of the nobles to set their dependents at liberty; and servitude was gradually abolished in almost every province of the kingdom[y]. In Italy, the establishment of republican government in their great cities, the genius and maxims of which were extremely different from those of the feudal policy, together with the ideas of equality, which the progress of commerce had rendered familiar, gradually introduced the practice of enfranchising the ancient 'predial' slaves. In some provinces of Germany, the persons who had been subject to this species of bondage were released; in others, the rigour of their

A.D. 1315. and 1318.

[x] Ordon. tom. i. p. 583. 653.

[y] Note xx.

state was mitigated. In England, as the spirit of liberty gained ground, the very name and idea of personal servitude, without any formal interposition of the legislature to prohibit it, was totally banished.

The effects of such a remarkable change in the condition of so great a part of the people, could not fail of being considerable and extensive. The husbandman, master of his own industry, and secure of reaping for himself the fruits of his labour, became the farmer of the same fields where he had formerly been compelled to toil for the benefit of another. The odious names of master and of slave, the most mortifying and depressing of all distinctions to human nature, were abolished. New prospects opened, and new incitements to ingenuity and enterprise presented themselves to those who were emancipated. The expectation of bettering their fortune, as well as that of raising themselves to a more honourable condition, concurred in calling forth their activity and genius; and a numerous class of men, who formerly had no political existence, and were employed merely as instruments of labour, became useful citizens, and contributed towards augmenting the force or riches of the society which adopted them as members.

The effects of this upon the improvement of society.

V. The various expedients which were employed in order to introduce a more regular, equal, and vigorous administration of justice, contributed greatly towards the improvement of society. What were the particular modes of dispensing justice, in their several countries, among the various barbarous nations which overran the Roman empire, and took possession of its different provinces, cannot now be determined with certainty. We may conclude, from the form of government established among them, as well as from their ideas concerning the nature of society, that the authority of the magistrate was extremely limited, and the independence of individuals proportionally great. History and records, as far as these reach back, justify this conclusion, and represent the ideas and exercise of justice in all

The introduction of a more regular administration of justice contributes to the improvement of society.

the countries of Europe, as little different from those which must take place in the most simple state of civil life. To maintain the order and tranquillity of society by the regular execution of known laws; to inflict vengeance on crimes destructive of the peace and safety of individuals, by a prosecution carried on in the name and by the authority of the community; to consider the punishment of criminals as a public example to deter others from violating the laws; were objects of government little understood in theory, and less regarded in practice. The magistrate could hardly be said to hold the sword of justice; it was left in the hands of private persons. Resentment was almost the sole motive for prosecuting crimes; and to gratify that passion, was considered as the chief end in punishing them. He who suffered the wrong, was the only person who had a right to pursue the aggressor, and to exact or to remit the punishment. From a system of judicial procedure so crude and defective that it seems to be scarcely compatible with the subsistence of civil society, disorder and anarchy flowed. Superstition concurred with this ignorance concerning the nature of government, in obstructing the administration of justice, or in rendering it capricious and unequal. To provide remedies for these evils, so as to give a more regular course to justice, was, during several centuries, one great object of political wisdom. The regulations for this purpose may be reduced to three general heads. To explain these, and to point out the manner in which they operated, is an important article in the history of society among the nations in Europe.

This effected by abolishing the practice of private war.

1. The first considerable step towards establishing an equal administration of justice, was the abolishment of the right which individuals claimed of waging war with each other, in their own name, and by their own authority. To repel injuries, and to revenge wrongs, is no less natural to man, than to cultivate friendship; and while society remains in its most simple state, the

former is considered as a personal right no less unalienable than the latter. Nor do men in this situation deem that they have a title to redress their own wrongs alone; they are touched with the injuries done to those with whom they are connected, or in whose honour they are interested, and are no less prompt to avenge them. The savage, how imperfectly soever he may comprehend the principles of political union, feels warmly the sentiments of social affection, and the obligations arising from the ties of blood. On the appearance of an injury or affront offered to his family or tribe, he kindles into rage, and pursues the authors of it with the keenest resentment. He considers it as cowardly to expect redress from any arm but his own, and as infamous to give up to another the right of determining what reparation he should accept, or with what vengeance he should rest satisfied.

Original ideas of men concerning justice.

The maxims and practice of all uncivilized nations, with respect to the prosecution and punishment of offenders, particularly those of the ancient Germans, and other barbarians who invaded the Roman empire, are perfectly conformable to these ideas[z]. While they retained their native simplicity of manners, and continued to be divided into small tribes or societies, the defects in this imperfect system of criminal jurisprudence, if it merits that name, were less sensibly felt. When they came to settle in the extensive provinces which they had conquered, and to form themselves into great monarchies; when new objects of ambition presenting themselves, increased both the number and the violence of their dissensions, they ought to have adopted new maxims concerning the redress of injuries, and to have regulated, by general and equal laws, that which they formerly left to be directed by the caprice of private passion. But fierce and haughty chieftains, accustomed to avenge themselves on such

These lead to the practice of private war.

[z] Tacit. de Mor. German. cap. 21. Vell. Paterc. lib. ii. c. 118.

as had injured them, did not think of relinquishing a right which they considered as a privilege of their order, and a mark of their independence. Laws enforced by the authority of princes and magistrates, who possessed little power, commanded no great degree of reverence. The administration of justice among rude illiterate people was not so accurate, or decisive, or uniform, as to induce men to submit implicitly to its determinations. Every offended baron buckled on his armour, and sought redress at the head of his vassals. His adversary met him in like hostile array. Neither of them appealed to impotent laws, which could afford them no protection. Neither of them would submit points, in which their honour and their passions were warmly interested, to the slow determination of a judicial inquiry. Both trusted to their swords for the decision of the contest. The kindred and dependents of the aggressor, as well as of the defender, were involved in the quarrel. They had not even the liberty of remaining neutral. Such as refused to act in concert with the party to which they belonged, were not only exposed to infamy, but subjected to legal penalties.

The pernicious effects of it.

The different kingdoms of Europe were torn and afflicted, during several centuries, by intestine wars, excited by private animosities, and carried on with all the rage natural to men of fierce manners, and of violent passions. The estate of every baron was a kind of independent territory, disjoined from those around it, and the hostilities between them seldom ceased. The evil became so inveterate and deep-rooted, that the form and laws of private war were ascertained, and regulations concerning it made a part in the system of jurisprudence[a], in the same manner as if this practice had been founded in some natural right of

[a] Beaumanoir Coustumes de Beauvoisis, ch. 59. et les notes de Thaumassière, p. 447.

humanity, or in the original constitution of civil society.

So great was the disorder, and such the calamities, which these perpetual hostilities occasioned, that various efforts were made to wrest from the nobles this pernicious privilege. It was the interest of every sovereign to abolish a practice which almost annihilated his authority. Charlemagne prohibited it by an express law, as an invention of the devil to destroy the order and happiness of society[b]; but the reign of one monarch, however vigorous and active, was too short to extirpate a custom so firmly established. Instead of enforcing this prohibition, his feeble successors durst venture on nothing more than to apply palliatives. They declared it unlawful for any person to commence war, until he had sent a formal defiance to the kindred and dependents of his adversary; they ordained that, after the commission of the trespass or crime which gave rise to a private war, forty days must elapse before the person injured should attack the vassals of his adversary; they enjoined all persons to suspend their private animosities, and to cease from hostilities, when the king was engaged in any war against the enemies of the nation. The church cooperated with the civil magistrate, and interposed its authority in order to extirpate a practice so repugnant to the spirit of christianity. Various councils issued decrees, prohibiting all private wars; and denounced the heaviest anathemas against such as should disturb the tranquillity of society, by claiming or exercising that barbarous right. The aid of religion was called in to combat and subdue the ferocity of the times. The Almighty was said to have manifested, by visions and revelations to different persons, his disapprobation of that spirit of revenge which armed one part of his creatures against the other. Men were required, in the name of God,

Various methods employed in order to abolish it.

[b] Capitul. a. d. 801. edit. Baluz. vol. i. p. 371.

to sheath their swords, and to remember the sacred ties which united them as christians, and as members of the same society. But this junction of civil and ecclesiastic authority, though strengthened by every thing most apt to alarm and to overawe the credulous spirit of those ages, produced no other effect than some temporary suspensions of hostilities, and a cessation from war on certain days and seasons consecrated to the more solemn acts of devotion. The nobles continued to assert this dangerous privilege; they refused to obey some of the laws calculated to annul or circumscribe it; they eluded others; they petitioned; they remonstrated; they struggled for the right of private war, as the highest and most honourable distinction of their order. Even so late as the fourteenth century, we find the nobles, in several provinces of France, contending for their ancient method of terminating their differences by the sword, in preference to that of submitting them to the decision of any judge. The final abolition of this practice in that kingdom, and the other countries in which it prevailed, is not to be ascribed so much to the force of statutes and decrees, as to the gradual increase of the royal authority, and to the imperceptible progress of juster sentiments concerning government, order, and public security[c].

The prohibition of trial by judicial combat, another improvement in the administration of justice.

2. The prohibition of the form of trial by judicial combat, was another considerable step towards the introduction of such regular government as secured public order and private tranquillity. As the right of private war left many of the quarrels among individuals to be decided, like those between nations, by arms, the form of trial by judicial combat, which was established in every country of Europe, banished equity from courts of justice, and rendered chance or force the arbiter of their determinations. In civilized nations, all transactions of any importance are concluded

Defects in the judicial proceedings

[c] Note xxi.

in writing. The exhibition of the deed or instrument is full evidence of the fact, and ascertains with precision what each party has stipulated to perform. But among a rude people, when the arts of reading and writing were such uncommon attainments, that to be master of either entitled a person to the appellation of a clerk or learned man, scarcely any thing was committed to writing but treaties between princes, their grants and charters to their subjects, or such transactions between private parties as were of extraordinary consequence, or had an extensive effect. The greater part of affairs in common life and business was carried on by verbal contracts or promises. This, in many civil questions, not only made it difficult to bring proof sufficient to establish any claim, but encouraged falsehood and fraud, by rendering them extremely easy. Even in criminal cases, where a particular fact must be ascertained, or an accusation must be disproved, the nature and effect of legal evidence were little understood by barbarous nations. To define with accuracy that species of evidence which a court had reason to expect; to determine when it ought to insist on positive proof, and when it should be satisfied with a proof from circumstances; to compare the testimony of discordant witnesses, and to fix the degree of credit due to each; were discussions too intricate and subtile for the jurisprudence of ignorant ages. In order to avoid encumbering themselves with these, a more simple form of procedure was introduced into courts as well civil as criminal. In all cases where the notoriety of the fact did not furnish the clearest and most direct evidence, the person accused, or he against whom an action was brought, was called legally, or offered voluntarily, to purge himself by oath; and upon his declaring his innocence, he was instantly acquitted[d].

of the middle ages.

[d] Leg. Burgund. tit. 8. et 45. Leg. Aleman. tit. 89. Leg. Baiwar. tit. 8. sect. 5. 2. etc.

This absurd practice effectually screened guilt and fraud from detection and punishment, by rendering the temptation to perjury so powerful, that it was not easy to resist it. The pernicious effects of it were sensibly felt; and in order to guard against them, the laws ordained, that oaths should be administered with great solemnity, and accompanied with every circumstance which could inspire religious reverence, or superstitious terrour[e]. This, however, proved a feeble remedy: these ceremonious rites became familiar, and their impression on the imagination gradually diminished; men who could venture to disregard truth, were not apt to startle at the solemnities of an oath. Their observation of this, put legislators upon devising a new expedient for rendering the purgation by oath more certain and satisfactory. They required the person accused to appear with a certain number of freemen, his neighbours or relations, who corroborated the oath which he took, by swearing that they believed all that he had uttered to be true. These were called 'compurgators,' and their number varied according to the importance of the subject in dispute, or the nature of the crime with which a person was charged[f]. In some cases, the concurrence of no less than three hundred of these auxiliary witnesses was requisite to acquit the person accused[g]. But even this device was found to be ineffectual. It was a point of honour with every man in Europe, during several ages, not to desert the chief on whom he depended, and to stand by those with whom the ties of blood connected him. Whoever then was bold enough to violate the laws, was sure of devoted adherents, willing to abet and eager to serve him in whatever manner he required. The formality of calling 'compurgators' proved an apparent, not a real,

[e] Du Cange, Glossar. voc. juramentum, vol. iii. p. 1607. edit. Benedict.
[f] Du Cange, ibid. vol. iii. p. 1599.
[g] Spelman, Glossar. voc. assath. Gregor. Turon. Hist. lib. viii. c. 9.

security against falsehood and perjury; and the sentences of courts, while they continued to refer every point in question to the oath of the defendant, became so flagrantly iniquitous as to excite universal indignation against this method of procedure[h].

Sensible of these defects, but strangers to the manner of correcting them, or of introducing a more proper form, our ancestors, as an infallible method of discovering truth, and of guarding against deception, appealed to heaven, and referred every point in dispute to be determined, as they imagined, by the decisions of unerring wisdom and impartial justice. The person accused, in order to prove his innocence, submitted to trial, in certain cases, either by plunging his arm in boiling water; or by lifting a red-hot iron with his naked hand; or by walking barefoot over burning ploughshares; or by other experiments equally perilous and formidable. On other occasions, he challenged his accuser to fight him in single combat. All these various forms of trial were conducted with many devout ceremonies; the ministers of religion were employed, the Almighty was called upon to interpose for the manifestation of guilt, and for the protection of innocence; and whoever escaped unhurt, or came off victorious, was pronounced to be acquitted by the 'judgment of God[i].'

These introduced the practice of appealing to heaven; particularly by judicial combat.

Among all the whimsical and absurd institutions which owe their existence to the weakness of human reason, this, which submitted questions that affected the property, the reputation, and the lives of men, to the determination of chance, or of bodily strength and address, appears to be the most extravagant and preposterous. There were circumstances, however, which led the nations of Europe to consider this equivocal mode of deciding any point in contest, as a direct

The introduction of this practice favoured by the superstition of the middle ages;

[h] Leg. Langobard. lib. ii. tit. 55. sect. 34.

[i] Murat. Dissertatio de Judiciis Dei, Antiquit. Ital. vol. iii. p. 612.

appeal to heaven, and a certain method of discovering its will. As men are unable to comprehend the manner in which the Almighty carries on the government of the universe, by equal, fixed, and general laws, they are apt to imagine, that in every case which their passions or interest render important in their own eyes, the supreme ruler of all ought visibly to display his power in vindicating innocence and punishing guilt. It requires no inconsiderable degree of science and philosophy to correct this popular errour. But the sentiments prevalent in Europe during the dark ages, instead of correcting, strengthened it. Religion, for several centuries, consisted chiefly in believing the legendary history of those saints whose names crowd and disgrace the Romish calendar. The fabulous tales concerning their miracles had been declared authentic by the bulls of popes, and the decrees of councils; they made the great subject of the instructions which the clergy offered to the people, and were received by them with implicit credulity and admiration. By attending to these, men were accustomed to believe that the established laws of nature might be violated on the most frivolous occasions, and were taught to look rather for particular and extraordinary acts of power under the divine administration, than to contemplate the regular progress and execution of a general plan. One superstition prepared the way for another; and whoever believed that the supreme being had interposed miraculously on those trivial occasions mentioned in legends, could not but expect his intervention in matters of greater importance, when solemnly referred to his decision.

and likewise by their martial spirit.

With this superstitious opinion, the martial spirit of Europe, during the middle ages, concurred in establishing the mode of trial by judicial combat. To be ready to maintain with his sword whatever his lips had uttered, was the first maxim of honour with every gentleman. To assert their own rights by force of arms,

to inflict vengeance on those who had injured or affronted them, were the distinction and pride of high-spirited nobles. The form of trial by combat coinciding with this maxim, flattered and gratified these passions. Every man was the guardian of his own honour, and of his own life; the justice of his cause, as well as his future reputation, depended on his own courage and prowess. This mode of decision was considered, accordingly, as one of the happiest efforts of wise policy; and as soon as it was introduced, all the forms of trial by fire or water, and other superstitious experiments, fell into disuse, or were employed only in controversies between persons of inferior rank. As it was the privilege of a gentleman to claim the trial by combat, it was quickly authorized over all Europe, and received in every country with equal satisfaction. Not only questions concerning uncertain or contested facts, but general and abstract points in law, were determined by the issue of a combat; and the latter was deemed a method of discovering truth more liberal, as well as more satisfactory, than that by investigation and argument. Not only might parties, whose minds were exasperated by the eagerness and the hostility of opposition, defy their antagonist, and require him to make good his charge, or to prove his innocence, with his sword; but witnesses, who had no interest in the issue of the question, though called to declare the truth by laws which ought to have afforded them protection, were equally exposed to the danger of a challenge, and equally bound to assert the veracity of their evidence by dint of arms. To complete the absurdities of this military jurisprudence, even the character of a judge was not sacred from its violence. Any one of the parties might interrupt a judge when about to deliver his opinion; might accuse him of iniquity and corruption in the most reproachful terms, and, throwing down his gauntlet, might challenge him to defend his integrity in the field; nor could he, without infamy, refuse to accept

the defiance, or decline to enter the lists against such an adversary.

It becomes universal.

Thus the form of trial by combat, like other abuses, spread gradually, and extended to all persons, and almost to all cases. Ecclesiastics, women, minors, superannuated and infirm persons, who could not with decency or justice be compelled to take arms, or to maintain their own cause, were obliged to produce champions, who offered from affection, or were engaged by rewards, to fight their battles. The solemnities of a judicial combat were such as were natural in an action, which was considered both as a formal appeal to God, and as the final decision of questions of the highest moment. Every circumstance relating to them was regulated by the edicts of princes, and explained in the comments of lawyers, with a minute and even superstitious accuracy. Skill in these laws and rights was frequently the only science of which warlike nobles boasted, or which they were ambitious to attain[k].

The pernicious effects of it.

By this barbarous custom, the natural course of proceeding, both in civil and criminal questions, was entirely perverted. Force usurped the place of equity in courts of judicature, and justice was banished from her proper mansion. Discernment, learning, integrity, were qualities less necessary to a judge, than bodily strength and dexterity in the use of arms. Daring courage, and superior vigour or address, were of more moment towards securing the favourable issue of a suit, than the equity of a cause, or the clearness of the evidence. Men, of course, applied themselves to cultivate the talents which they found to be of greatest utility. As strength of body and address in arms were no less requisite in those lists which they were obliged to enter

[k] See a curious discourse concerning the laws of judicial combat, by Thomas of Woodstock, duke of Gloucester, uncle to Richard the second, in Spelman's Glossar. voc. campus.

in defence of their private rights, than in the field of battle, where they met the enemies of their country, it became the great object of education, as well as the chief employment of life, to acquire these martial accomplishments. The administration of justice, instead of accustoming men to listen to the voice of equity, or to reverence the decisions of law, added to the ferocity of their manners, and taught them to consider force as the great arbiter of right and wrong.

Various expedients for abolishing this practice.

These pernicious effects of the trial by combat were so obvious, that they did not altogether escape the view of the unobserving age in which it was introduced. The clergy, from the beginning, remonstrated against it as repugnant to the spirit of christianity, and subversive of justice and order[l]. But the maxims and passions which favoured it, had taken such hold of the minds of men, that they disregarded admonitions and censures, which, on other occasions, would have struck them with terrour. The evil was too great and inveterate to yield to that remedy, and continuing to increase, the civil power at length found it necessary to interpose. Conscious, however, of their own limited authority, monarchs proceeded with caution, and their first attempts to restrain, or to set any bounds to this practice were extremely feeble. One of the earliest restrictions of this practice which occurs in the history of Europe, is that of Henry the first of England. It extended no farther than to prohibit the trial by combat in questions concerning property of small value[m]. Louis the seventh of France imitated his example, and issued an edict to the same effect[n]. St. Louis, whose ideas as a legislator were far superior to those of his age, endeavoured to introduce a more perfect jurisprudence, and to substitute the trial by evidence, in place

[l] Du Cange, Glossar. voc. duellum, vol. ii. p. 1675.
[m] Brussel, Usage des Fiefs, vol. ii. p. 962.
[n] Ordon. tom. i. p. 16.

of that by combat. But his regulations, with respect to this, were confined to his own domains; for the great vassals of the crown possessed such independent authority, and were so fondly attached to the ancient practice, that he had not power to venture to extend it to the whole kingdom. Some barons voluntarily adopted his regulations. The spirit of courts of justice became averse to the mode of decision by combat, and discouraged it on every occasion. The nobles, nevertheless, thought it so honourable to depend for the security of their lives and fortunes on their own courage alone, and contended with so much vehemence for the preservation of this favourite privilege of their order, that the successors of St. Louis, unable to oppose, and afraid of offending such powerful subjects, were obliged not only to tolerate but to authorize the practice which he had attempted to abolish[o]. In other countries of Europe, efforts equally zealous were employed to maintain the established custom; and similar concessions were extorted from their respective sovereigns. It continued, however, to be an object of policy with every monarch of abilities or vigour, to explode the trial by combat; and various edicts were issued for this purpose. But the observation which was made concerning the right of private war, is equally applicable to the mode of trial under review. No custom, how absurd soever it may be, if it has subsisted long, or derives its source from the manners and prejudices of the age in which it prevails, was ever abolished by the bare promulgation of laws and statutes. The sentiments of the people must change, or some new power, sufficient to counteract the prevalent custom, must be introduced. Such a change accordingly took place in Europe, as science gradually increased, and society advanced towards more perfect order. In proportion as the prerogative of princes extended, and came to

[o] Ordon. tom. i. p. 328. 390. 435.

acquire new force, a power, interested in suppressing every practice favourable to the independence of the nobles, was introduced. The struggle, nevertheless, subsisted for several centuries; sometimes the new regulations and ideas seemed to gain ground; sometimes ancient habits recurred: and though, upon the whole, the trial by combat went more and more into disuse, yet instances of it occur, as late as the sixteenth century, in the history both of France and of England. In proportion as it declined, the regular administration of justice was restored, the proceedings of courts were directed by known laws, the study of these became an object of attention to judges, and the people of Europe advanced fast towards civility, when this great cause of the ferocity of their manners was removed [p].

The privilege of appealing from the courts of the barons, another great improvement in the administration of justice.

3. By authorizing the right of appeal from the courts of the baron to those of the king, and subjecting the decisions of the former to the review of the latter, a new step, not less considerable than those which I have already mentioned, was taken towards establishing the regular, consistent, and vigorous administration of justice. Among all the encroachments of the feudal nobles on the prerogative of their monarchs, their usurping the administration of justice with supreme authority, both in civil and criminal causes, within the precincts of their own estates, was the most singular. In other nations, subjects have contended with their sovereigns, and have endeavoured to extend their own power and privileges; but in the history of their struggles and pretensions we discover nothing similar to this right which the feudal barons claimed, and obtained. It must have been something peculiar in their genius and manners that suggested this idea, and prompted them to insist on such a claim. Among the rude people who conquered the various provinces of the Roman empire, and established new kingdoms there, the pas-

Origin of the supreme and independent jurisdiction of the nobility.

[p] Note xxii.

sion of resentment, too impetuous to bear control, was permitted to remain almost unrestrained by the authority of laws. The person offended, as has been observed, retained not only the right of prosecuting but of punishing his adversary. To him it belonged to inflict such vengeance as satiated his rage, or to accept of such satisfaction as appeased it. But while fierce barbarians continued to be the sole judges in their own cause, their enmities were implacable and immortal; they set no bounds either to the degree of their vengeance, or to the duration of their resentment. The excesses which this occasioned, proved so destructive of peace and order in society, as to render it necessary to devise some remedy. At first, recourse was had to arbitrators, who, by persuasion or entreaty, prevailed on the party offended to accept of a fine or composition from the aggressor, and to drop all farther prosecution. But as submission to persons who had no legal or magisterial authority was altogether voluntary, it became necessary to establish judges, with power sufficient to enforce their own decisions. The leader whom they were accustomed to follow and to obey, whose courage they respected, and in whose integrity they placed confidence, was the person to whom a martial people naturally committed this important prerogative. Every chieftain was the commander of his tribe in war, and their judge in peace. Every baron led his vassals to the field, and administered justice to them in his hall. The high-spirited dependents would not have recognised any other authority, or have submitted to any other jurisdiction. But in times of turbulence and violence, the exercise of this new function was attended not only with trouble, but with danger. No person could assume the character of a judge, if he did not possess power sufficient to protect the one party from the violence of private revenge, and to compel the other to accept of such reparation as he enjoined. In consideration of the extraordinary efforts

which this office required, judges, besides the fine which they appointed to be paid as a compensation to the person or family who had been injured, levied an additional sum as a recompense for their own labour; and in all the feudal kingdoms the latter was not only as precisely ascertained, but as regularly exacted, as the former.

The extent and bad effects of this privilege.

Thus, by the natural operation of circumstances peculiar to the manners or political state of the feudal nations, separate and territorial jurisdictions came not only to be established in every kingdom, but were established in such a way, that the interest of the barons concurred with their ambition in maintaining and extending them. It was not merely a point of honour with the feudal nobles to dispense justice to their vassals; but from the exercise of that power arose one capital branch of their revenue; and the emoluments of their courts were frequently the main support of their dignity. It was with infinite zeal that they asserted and defended this high privilege of their order. By this institution, however, every kingdom in Europe was split into as many separate principalities as it contained powerful barons. Their vassals, whether in peace or in war, were hardly sensible of any authority, but that of their immediate superior lord. They felt themselves subject to no other command. They were amenable to no other jurisdiction. The ties which linked together these smaller confederacies became close and firm; the bonds of public union relaxed, or were dissolved. The nobles strained their invention in devising regulations which tended to ascertain and perpetuate this distinction. In order to guard against any appearance of subordination in their courts to those of the crown, they frequently constrained their monarchs to prohibit the royal judges from entering their territories, or from claiming any jurisdiction there; and if, either through mistake, or from the spirit of encroachment, any royal judge ventured to extend his

authority to the vassals of a baron, they might plead their right of exemption, and the lord of whom they held could not only rescue them out of his hands, but was entitled to legal reparation for the injury and affront offered to him. The jurisdiction of the royal judges scarcely reached beyond the narrow limits of the king's demesnes. Instead of a regular gradation of courts, all acknowledging the authority of the same general laws, and looking up to these as the guides of their decisions, there were in every feudal kingdom a number of independent tribunals, the proceedings of which were directed by local customs and contradictory forms. The collision of jurisdiction among these different courts often retarded the execution of justice: the variety and caprice of their modes of procedure must have for ever kept the administration of it from attaining any degree of uniformity or perfection.

Expedients employed in order to limit or abolish it.

All the monarchs of Europe perceived these encroachments on their jurisdiction, and bore them with impatience. But the usurpations of the nobles were so firmly established, and the danger of endeavouring to overturn them by open force was so manifest, that kings were obliged to remain satisfied with attempts to undermine them. Various expedients were employed for this purpose; each of which merits attention, as they mark the progress of law and equity in the several kingdoms of Europe. At first, princes endeavoured to circumscribe the jurisdiction of the barons, by contending that they ought to take cognizance only of smaller offences, reserving those of greater moment, under the appellation of 'pleas of the crown,' and 'royal causes,' to be tried in the king's courts. This, however, affected only the barons of inferior note; the more powerful nobles scorned such a distinction, and not only claimed unlimited jurisdiction, but obliged their sovereigns to grant them charters, conveying or recognising this privilege in the most ample form. The attempt, nevertheless, was productive of some

good consequences, and paved the way for more. It turned the attention of men towards a jurisdiction distinct from that of the baron whose vassals they were; it accustomed them to the pretensions of superiority, which the crown claimed over territorial judges; and taught them, when oppressed by their own superior lord, to look up to their sovereign as their protector. This facilitated the introduction of appeals, by which princes brought the decisions of the barons' courts under the review of the royal judges. While trial by combat subsisted in full vigour, no point decided according to that mode could be brought under the review of another court. It had been referred to the judgment of God; the issue of battle had declared his will; and it would have been impious to have called in question the equity of the divine decision. But as soon as that barbarous custom began to fall into disuse, princes encouraged the vassals of the barons to sue for redress, by appealing to the royal courts. The progress of this practice, however, was slow and gradual. The first instances of appeals were on account of 'the delay' or 'the refusal of justice' in the baron's court; and as these were countenanced by the ideas of subordination in the feudal constitution, the nobles allowed them to be introduced without much opposition. But when these were followed by appeals on account of 'the justice' or 'iniquity of the sentence,' the nobles then began to be sensible, that, if this innovation became general, the shadow of power alone would remain in their hands, and all real authority and jurisdiction would centre in those courts which possessed the right of review. They instantly took the alarm, remonstrated against the encroachment, and contended boldly for their ancient privileges. But the monarchs in the different kingdoms of Europe pursued their plan with steadiness and prudence. Though forced to suspend their operations, on some occasions, and seemingly to yield when any formidable confederacy of

their vassals united against them, they resumed their measures, as soon as they observed the nobles to be remiss or feeble, and pushed them with vigour. They appointed the royal courts, which originally were ambulatory, and irregular with respect to their times of meeting, to be held in a fixed place, and at stated seasons. They were solicitous to name judges of more distinguished abilities than such as usually presided in the courts of the barons. They added dignity to their character, and splendour to their assemblies. They laboured to render their forms regular, and their decrees consistent. Such judicatories became, of course, the objects of public confidence as well as veneration. The people, relinquishing the tribunals of their lords, were eager to bring every subject of contest under the more equal and discerning eye of those whom their sovereign had chosen to give judgment in his name. Thus kings became once more the heads of the community, and the dispensers of justice to their subjects. The barons, in some kingdoms, ceased to exercise the right of jurisdiction, because it sunk into contempt; in others, it was circumscribed by such regulations as rendered it innocent, or it was entirely abolished by express statutes. Thus the administration of justice, taking its rise from one source, and following one direction, held its course, in every state, with more uniformity, and with greater force [q].

The regulations of the canon law promote a more perfect administration.

VI. The forms and maxims of the canon law, which were become universally respectable, from their authority in the spiritual courts, contributed not a little towards those improvements in jurisprudence which I have enumerated. If we consider the canon law politically, and view it either as a system framed on purpose to assist the clergy in usurping powers and jurisdiction no less repugnant to the nature of their function, than inconsistent with the order of government; or, as

[q] Note xxiii.

the chief instrument in establishing the dominion of the popes, which shook the throne, and endangered the liberties of every kingdom in Europe, we must pronounce it one of the most formidable engines ever formed against the happiness of civil society. But if we contemplate it merely as a code of laws respecting the rights and property of individuals, and attend only to the civil effects of its decisions concerning these, it will appear in a different, and a much more favourable light. In ages of ignorance and credulity, the ministers of religion are the objects of superstitious veneration. When the barbarians who overran the Roman empire first embraced the christian faith, they found the clergy in possession of considerable power; and they naturally transferred to those new guides the profound submission and reverence which they were accustomed to yield to the priests of that religion which they had forsaken. They deemed their persons to be equally sacred with their function; and would have considered it as impious to subject them to the profane jurisdiction of the laity. The clergy were not blind to these advantages which the weakness of mankind afforded them. They established courts, in which every question relating to their own character, their function, or their property, was tried. They pleaded, and obtained an almost total exemption from the authority of civil judges. Upon different pretexts, and by a multiplicity of artifices, they communicated this privilege to so many persons, and extended their jurisdiction to such a variety of cases, that the greater part of those affairs which gave rise to contest and litigation, was drawn under the cognizance of the spiritual courts.

The progress of ecclesiastical usurpation.

But, in order to dispose the laity to suffer these usurpations without murmur or opposition, it was necessary to convince them, that the administration of justice would be rendered more perfect by the establishment of this new jurisdiction. This was not a difficult undertaking at that period, when ecclesiastics

The plan of ecclesiastical jurisprudence more perfect than that in the civil courts.

carried on their encroachments with the greatest success. That scanty portion of science which served to guide men in the ages of darkness, was almost entirely engrossed by the clergy. They alone were accustomed to read, to inquire, and to reason. Whatever knowledge of ancient jurisprudence had been preserved, either by tradition, or in such books as had escaped the destructive rage of barbarians, was possessed by them. Upon the maxims of that excellent system, they founded a code of laws consonant to the great principles of equity. Being directed by fixed and known rules, the forms of their courts were ascertained, and their decisions became uniform and consistent. Nor did they want authority sufficient to enforce their sentences. Excommunication, and other ecclesiastical censures, were punishments more formidable than any that civil judges could inflict in support of their decrees.

The good effects of imitating and adopting it.

It is not surprising, then, that ecclesiastical jurisprudence should become such an object of admiration and respect, that exemption from civil jurisdiction was courted as a privilege, and conferred as a reward. It is not surprising, that, even to a rude people, the maxims of the canon law should appear more equal and just than those of the ill-digested jurisprudence which directed all proceedings in civil courts. According to the latter, the differences between contending barons were terminated, as in a state of nature, by the sword; according to the former, every matter was subjected to the decision of laws. The one, by permitting judicial combats, left chance and force to be arbiters of right or wrong, of truth or falsehood; the other passed judgment with respect to these by the maxims of equity, and the testimony of witnesses. Any errour or iniquity in a sentence pronounced by a baron to whom feudal jurisdiction belonged, was irremediable, because originally it was subject to the review of no superior tribunal; the ecclesiastical law established a regular gradation of courts, through all which a cause might be

carried by appeal, until it was determined by that authority which was held to be supreme in the church. Thus the genius and principles of the canon law prepared men for approving those three great alterations in the feudal jurisprudence which I have mentioned. But it was not with respect to these points alone that the canon law suggested improvement beneficial to society. Many of the regulations, now deemed the barriers of personal security, or the safeguards of private property, are contrary to the spirit, and repugnant to the maxims of the civil jurisprudence known in Europe during several centuries, and were borrowed from the rules and practice of the ecclesiastical courts. By observing the wisdom and equity of the decisions in these courts, men began to perceive the necessity either of deserting the martial tribunals of the barons, or of attempting to reform them[r].

The revival of the knowledge and study of the Roman law contributes towards more liberal ideas concerning justice and order.

VII. The revival of the knowledge and study of the Roman law cooperated with the causes which I have mentioned, in introducing more just and liberal ideas concerning the nature of government, and the administration of justice. Among the calamities which the devastations of the barbarians who broke in upon the empire brought upon mankind, one of the greatest was their overturning the system of Roman jurisprudence, the noblest monument of the wisdom of that great people, formed to subdue and to govern the world. The laws and regulations of a civilized community were repugnant to the manners and ideas of these fierce invaders. They had respect to objects of which a rude people had no conception; and were adapted to a state of society with which they were entirely unacquainted. For this reason, wherever they settled, the Roman jurisprudence soon sunk into oblivion, and lay buried for some centuries under the load of those institutions which the inhabitants of Europe dignified with the

The circumstances from which the Roman law fell into oblivion.

[r] Note xxiv.

name of laws. But towards the middle of the twelfth century, a copy of Justinian's pandects was accidentally discovered in Italy. By that time, the state of society was so far advanced, and the ideas of men so much enlarged and improved by the occurrences of several centuries, during which they had continued in political union, that they were struck with admiration of a system which their ancestors could not comprehend. Though they had not hitherto attained such a degree of refinement, as to acquire from the ancients a relish for true philosophy or speculative science; though they were still insensible, in a great degree, to the beauty and elegance of classical composition; they were sufficiently qualified to judge with respect to the merit of their system of laws, in which all the points most interesting to mankind were settled with discernment, precision, and equity. All men of letters studied this new science with eagerness; and within a few years after the discovery of the pandects, professors of civil law were appointed, who taught it publicly in most countries of Europe.

Circumstances which favoured the revival of it.

The effects of having such an excellent model to study and to imitate were immediately perceived. Men, as soon as they were acquainted with fixed and general laws, perceived the advantage of them, and became impatient to ascertain the principles and forms by which judges should regulate their decisions. Such was the ardour with which they carried on an undertaking of so great importance to society, that before the close of the twelfth century the feudal law was reduced into a regular system; the code of canon law was enlarged and methodised; and the loose uncertain customs of different provinces or kingdoms were collected and arranged with an order and accuracy acquired from the knowledge of Roman jurisprudence. In some countries of Europe the Roman law was adopted as subsidiary to their own municipal law; and all cases to which the latter did not extend, were decided according to the

The effects of this upon the ideas of men and the dispensation of justice.

principles of the former. In others, the maxims as well as forms of Roman jurisprudence, mingled imperceptibly with the laws of the country, and had a powerful, though less sensible influence, in improving and perfecting them[s].

These various improvements in the system of jurisprudence, and administration of justice, occasioned a change in manners, of great importance, and of extensive effect. They gave rise to a distinction of professions; they obliged men to cultivate different talents, and to aim at different accomplishments, in order to qualify themselves for the various departments and functions which became necessary in society[t]. Among uncivilized nations, there is but one profession honourable, that of arms. All the ingenuity and vigour of the human mind are exerted in acquiring military skill or address. The functions of peace are few and simple; and require no particular course of education or of study, as a preparation for discharging them. This was the state of Europe during several centuries. Every gentleman, born a soldier, scorned any other occupation; he was taught no science but that of war; even his exercises and pastimes were feats of martial prowess. Nor did the judicial character, which persons of noble birth were alone entitled to assume, demand any degree of knowledge beyond that which such untutored soldiers possessed. To recollect a few traditionary customs which time had confirmed, and rendered respectable; to mark out the lists of battle with due formality; to observe the issue of the combat; and to pronounce whether it had been conducted according to the laws of arms; included every thing that a baron, who acted as a judge, found it necessary to understand.

From all these arose a distinction in professions.

But when the forms of legal proceedings were fixed, when the rules of decision were committed to writing,

The effect of this on society.

[s] Note xxv.

[t] Dr. Ferguson's Essay on the History of Civil Society, part iv. sect. i.

and collected into a body, law became a science, the knowledge of which required a regular course of study, together with long attention to the practice of courts. Martial and illiterate nobles had neither leisure nor inclination to undertake a task so laborious, as well as so foreign from all the occupations which they deemed entertaining, or suitable to their rank. They gradually relinquished their places in courts of justice, where their ignorance exposed them to contempt. They became weary of attending to the discussion of cases, which grew too intricate for them to comprehend. Not only the judicial determination of points which were the subject of controversy, but the conduct of all legal business and transactions, was committed to persons trained by previous study and application to the knowledge of law. An order of men, to whom their fellow-citizens had daily recourse for advice, and to whom they looked up for decision in their most important concerns, naturally acquired consideration and influence in society. They were advanced to honours which had been considered hitherto as the peculiar rewards of military virtue. They were intrusted with offices of the highest dignity and most extensive power. Thus, another profession than that of arms came to be introduced among the laity, and was reputed honourable. The functions of civil life were attended to. The talents requisite for discharging them were cultivated. A new road was opened to wealth and eminence. The arts and virtues of peace were placed in their proper rank, and received their due recompense [u].

The spirit of chivalry introduces more liberal sentiments, and more generous manners.

VIII. While improvements so important, with respect to the state of society and the administration of justice, gradually made progress in Europe, sentiments more liberal and generous had begun to animate the nobles. These were inspired by the spirit of chivalry, which, though considered, commonly, as a wild institu-

[u] Note xxvi.

tion, the effect of caprice, and the source of extravagance, arose naturally from the state of society at that period, and had a very serious influence in refining the manners of the European nations. The feudal state was a state of almost perpetual war, rapine, and anarchy; during which the weak and unarmed were exposed to insults or injuries. The power of the sovereign was too limited to prevent these wrongs; and the administration of justice too feeble to redress them. The most effectual protection against violence and oppression, was often found to be that which the valour and generosity of private persons afforded. The same spirit of enterprise which had prompted so many gentlemen to take arms in defence of the oppressed pilgrims in Palestine, incited others to declare themselves the patrons and avengers of injured innocence at home. When the final reduction of the Holy Land under the dominion of infidels put an end to these foreign expeditions, the latter was the only employment left for the activity and courage of adventurers. To check the insolence of overgrown oppressors; to rescue the helpless from captivity; to protect or to avenge women, orphans, and eccelesiastics, who could not bear arms in their own defence; to redress wrongs, and to remove grievances; were deemed acts of the highest prowess and merit. Valour, humanity, courtesy, justice, honour, were the characteristic qualities of chivalry. To these was added religion, which mingled itself with every passion and institution during the middle ages, and, by infusing a large proportion of enthusiastic zeal, gave them such force, as carried them to romantic excess. Men were trained to knighthood by a long previous discipline; they were admitted into the order by solemnities no less devout than pompous; every person of noble birth courted that honour; it was deemed a distinction superior to royalty; and monarchs were proud to receive it from the hands of private gentlemen.

Origin of chivalry;

its beneficial effects.

This singular institution, in which valour, gallantry, and religion, were so strangely blended, was wonderfully adapted to the taste and genius of martial nobles; and its effects were soon visible in their manners. War was carried on with less ferocity, when humanity came to be deemed the ornament of knighthood no less than courage. More gentle and polished manners were introduced, when courtesy was recommended as the most amiable of knightly virtues. Violence and oppression decreased, when it was reckoned meritorious to check and to punish them. A scrupulous adherence to truth, with the most religious attention to fulfil every engagement, became the distinguishing characteristic of a gentleman, because chivalry was regarded as the school of honour, and inculcated the most delicate sensibility with respect to those points. The admiration of these qualities, together with the high distinctions and prerogatives conferred on knighthood in every part of Europe, inspired persons of noble birth, on some occasions, with a species of military fanaticism, and led them to extravagant enterprises. But they deeply imprinted on their minds the principles of generosity and honour. These were strengthened by every thing that can affect the senses or touch the heart. The wild exploits of those romantic knights who sallied forth in quest of adventures, are well known, and have been treated with proper ridicule. The political and permanent effects of the spirit of chivalry have been less observed. Perhaps, the humanity which accompanies all the operations of war, the refinements of gallantry, and the point of honour, the three chief circumstances which distinguish modern from ancient manners, may be ascribed, in a great measure, to this institution, which has appeared whimsical to superficial observers, but, by its effects, has proved of great benefit to mankind. The sentiments which chivalry inspired, had a wonderful influence on manners and conduct during the twelfth, thirteenth, fourteenth, and fifteenth centuries. They

were so deeply rooted, that they continued to operate after the vigour and reputation of the institution itself began to decline. Some considerable transactions, recorded in the following history, resemble the adventurous exploits of chivalry, rather than the well-regulated operations of sound policy. Some of the most eminent personages, whose characters will be delineated, were strongly tinctured with this romantic spirit. Francis the first was ambitious to distinguish himself by all the qualities of an accomplished knight, and endeavoured to imitate the enterprising genius of chivalry in war, as well as its pomp and courtesy during peace. The fame which the French monarch acquired by these splendid actions, so far dazzled his more temperate rival, that he departed on some occasions from his usual prudence and moderation, and emulated Francis in deeds of prowess, or of gallantry [x].

IX. The progress of science, and the cultivation of literature, had considerable effect in changing the manners of the European nations, and introducing that civility and refinement by which they are now distinguished. At the time when their empire was overturned, the Romans, though they had lost that correct taste which has rendered the productions of their ancestors standards of excellence, and models of imitation for succeeding ages, still preserved their love of letters, and cultivated the arts with great ardour. But rude barbarians were so far from being struck with any admiration of these unknown accomplishments, that they despised them. They were not arrived at that state of society, when those faculties of the human mind, which have beauty and elegance for their objects, begin to unfold themselves. They were strangers to most of those wants and desires which are the parents of ingenious invention; and as they did not comprehend either the merit or utility of the Roman

The progress of science has great influence on the manners and character of men.

Ignorance of the middle ages.

[x] Note xxvii.

arts, they destroyed the monuments of them with an industry not inferior to that with which their posterity have since studied to preserve or to recover them. The convulsions occasioned by the settlement of so many unpolished tribes in the empire; the frequent as well as violent revolutions in every kingdom which they established, together with the interior defects in the form of government which they introduced, banished security and leisure; prevented the growth of taste, or the culture of science; and kept Europe, during several centuries, in that state of ignorance which has been already described. But the events and institutions which I have enumerated, produced great alterations in society. As soon as their operation, in restoring liberty and independence to one part of the community, began to be felt; as soon as they began to communicate to all the members of society some taste of the advantages arising from commerce, from public order, and from personal security, the human mind became conscious of powers which it did not formerly perceive, and fond of occupations or pursuits of which it was formerly incapable. Towards the beginning of the twelfth century, we discern the first symptoms of its awakening from that lethargy in which it had been long sunk, and observe it turning with curiosity and attention towards new objects.

The first literary efforts ill-directed, and the causes of this:

The first literary efforts, however, of the European nations in the middle ages, were extremely ill-directed. Among nations, as well as individuals, the powers of imagination attain some degree of vigour before the intellectual faculties are much exercised in speculative or abstract disquisition. Men are poets before they are philosophers. They feel with sensibility, and describe with force, when they have made but little progress in investigation or reasoning. The age of Homer and of Hesiod long preceded that of Thales or of Socrates. But, unhappily for literature, our ancestors, deviating from this course which nature points out, plunged at

once into the depths of abstruse and metaphysical inquiry. They had been converted to the christian faith, soon after they settled in their new conquests. But they did not receive it pure. The presumption of men had added to the simple and instructive doctrines of christianity the theories of a vain philosophy, that attempted to penetrate into mysteries, and to decide questions which the limited faculties of the human mind are unable to comprehend or to resolve. These over-curious speculations were incorporated with the system of religion, and came to be considered as the most essential part of it. As soon, then, as curiosity prompted men to inquire and to reason, these were the subjects which first presented themselves, and engaged their attention. The scholastic theology, with its infinite train of bold disquisitions, and subtle distinctions concerning points which are not the object of human reason, was the first production of the spirit of inquiry after it began to resume some degree of activity and vigour in Europe. It was not, however, this circumstance alone, that gave such a wrong turn to the minds of men, when they began again to exercise talents which they had so long neglected. Most of the persons who attempted to revive literature in the twelfth and thirteenth centuries, had received instruction, or derived their principles of science, from the Greeks in the eastern empire, or from the Arabians in Spain and Africa. Both these people, acute and inquisitive to excess, had corrupted those sciences which they cultivated. The former rendered theology a system of speculative refinement, or of endless controversy. The latter communicated to philosophy a spirit of metaphysical and frivolous subtilty. Misled by these guides, the persons who first applied to science were involved in a maze of intricate inquiries. Instead of allowing their fancy to take its natural range, and to produce such works of invention as might have improved their taste, and refined their sentiments; instead of cultivat-

ing those arts which embellish human life, and render it comfortable; they were fettered by authority, they were led astray by example, and wasted the whole force of their genius in speculations as unavailing as they were difficult.

they had, however, considerable effects.

But fruitless and ill-directed as these speculations were, their novelty roused, and their boldness interested, the human mind. The ardour with which men pursued these uninviting studies was astonishing. Genuine philosophy was never cultivated, in any enlightened age, with more zeal. Schools, upon the model of those instituted by Charlemagne, were opened in every cathedral, and almost in every monastery of note. Colleges and universities were erected and formed into communities or corporations, governed by their own laws, and invested with separate and extensive jurisdiction over their own members. A regular course of studies was planned. Privileges of great value were conferred on masters and scholars. Academical titles and honours of various kinds were invented as a recompense for both. Nor was it in the schools alone that superiority in science led to reputation and authority; it became an object of respect in life, and advanced such as acquired it to a rank of no inconsiderable eminence. Allured by all these advantages, an incredible number of students resorted to those new seats of learning, and crowded with eagerness into that new path which was opened to fame and distinction.

A circumstance which prevented their being more extensive.

But how considerable soever these first efforts may appear, there was one circumstance which prevented the effects of them from being as extensive as they naturally ought to have been. All the languages in Europe, during the period under review, were barbarous. They were destitute of elegance, of force, and even of perspicuity. No attempt had been hitherto made to improve or to polish them. The Latin tongue was consecrated by the church to religion. Custom, with authority scarcely less sacred, had appropriated it

to literature. All the sciences cultivated in the twelfth and thirteenth centuries were taught in Latin. All books with respect to them were written in that language. It would have been deemed a degradation of any important subject, to have treated of it in a modern language. This confined science within a very narrow circle. The learned alone were admitted into the temple of knowledge; the gate was shut against all others, who were suffered to remain involved in their former darkness and ignorance.

Its influence on manners merits attention.

But though science was thus prevented, during several ages, from diffusing itself through society, and its influence was much circumscribed; the progress which it made may be mentioned, nevertheless, among the great causes which contributed to introduce a change of manners into Europe. The ardent, though ill-judged spirit of inquiry which I have described, occasioned a fermentation of mind that put ingenuity and invention in motion, and gave them vigour. It led men to a new employment of their faculties, which they found to be agreeable as well as interesting. It accustomed them to exercises and occupations which tended to soften their manners, and to give them some relish for the gentle virtues, peculiar to people among whom science has been cultivated with success[y].

The progress of commerce had great influence on manners and government.

X. The progress of commerce had considerable influence in polishing the manners of the European nations, and in establishing among them order, equal laws, and humanity. The wants of men, in the original and most simple state of society, are so few, and their desires so limited, that they rest contented with the natural productions of their climate and soil, or with what they can add to these by their own rude industry. They have no superfluities to dispose of, and few necessities that demand a supply. Every little community subsisting on its own domestic stock, and satisfied with it, is

[y] Note xxviii.

Low state of commerce in the middle ages;

either little acquainted with the states around it, or at variance with them. Society and manners must be considerably improved, and many provisions must be made for public order and personal security, before a liberal intercourse can take place between different nations. We find, accordingly, that the first effect of the settlement of the barbarians in the empire, was to divide those nations which the Roman power had united. Europe was broken into many separate communities. The intercourse between these divided states ceased almost entirely during several centuries. Navigation was dangerous in seas infested by pirates; nor could strangers trust to a friendly reception in the ports of uncivilized nations. Even between distant parts of the same kingdom, the communication was rare and difficult. The lawless rapine of banditti, together with the avowed exactions of the nobles, scarcely less formidable and oppressive, rendered a journey of any length a perilous enterprise. Fixed to the spot in which they resided, the greater part of the inhabitants of Europe lost, in a great measure, the knowledge of remote regions, and were unacquainted with their names, their situations, their climates, and their commodities[z].

causes of its revival;

Various causes, however, contributed to revive the spirit of commerce, and to renew, in some degree, the intercourse between different nations. The Italians, by their connexion with Constantinople, and other cities of the Greek empire, had preserved in their own country considerable relish for the precious commodities and curious manufactures of the east. They communicated some knowledge of these to the countries contiguous to Italy. But this commerce being extremely limited, the intercourse which it occasioned between different nations was not considerable. The crusades, by leading multitudes from every corner of Europe into Asia, opened a more extensive communi-

[z] Note xxix.

cation between the east and west, which subsisted for two centuries; and though the object of these expeditions was conquest, and not commerce; though the issue of them proved as unfortunate, as the motives for undertaking them were wild and enthusiastic; their commercial effects, as hath been shown, were both beneficial and permanent. During the continuance of the crusades, the great cities in Italy, and in other countries of Europe, acquired liberty, and together with it such privileges as rendered them respectable and independent communities. Thus, in every state, there was formed a new order of citizens, to whom commerce presented itself as their proper object, and opened to them a certain path to wealth and consideration. Soon after the close of the holy war, the mariner's compass was invented, which, by rendering navigation more secure, encouraged it to become more adventurous, facilitated the communication between remote nations, and brought them nearer to each other.

first among the Italians;

The Italian states, during the same period, established a regular commerce with the east in the ports of Egypt, and drew from thence all the rich products of the Indies. They introduced into their own territories manufactures of various kinds, and carried them on with great ingenuity and vigour. They attempted new arts; and transplanted from warmer climates, to which they had been hitherto deemed peculiar, several natural productions which now furnish the materials of a lucrative and extended commerce. All these commodities, whether imported from Asia, or produced by their own skill, they disposed of to great advantage among the other people of Europe, who began to acquire some taste for an elegance in living unknown to their ancestors, or despised by them. During the twelfth and thirteenth centuries, the commerce of Europe was almost entirely in the hands of the Italians, more commonly known in those ages by the name of Lombards. Companies or societies of

Lombard merchants settled in every different kingdom. They were taken under the immediate protection of the several governments. They enjoyed extensive privileges and immunities. The operation of the ancient barbarous laws concerning strangers, was suspended with respect to them. They became the carriers, the manufacturers, and the bankers of all Europe.

then by the means of the Hanseatic league.

While the Italians, in the south of Europe, were cultivating trade with such industry and success, the commercial spirit awakened in the north towards the middle of the thirteenth century. As the nations around the Baltic were, at that time, extremely barbarous, and infested that sea with their piracies, the cities of Lubec and Hamburgh, soon after they began to open some trade with these people, found it necessary to enter into a league of mutual defence. They derived such advantages from this union, that other towns acceded to their confederacy, and, in a short time, eighty of the most considerable cities, scattered through those extensive countries which stretch from the bottom of the Baltic to Cologne on the Rhine, joined in the famous Hanseatic league, which became so formidable, that its alliance was courted, and its enmity was dreaded by the greatest monarchs. The members of this powerful association formed the first systematic plan of commerce known in the middle ages, and conducted it by common laws enacted in their general assemblies. They supplied the rest of Europe with naval stores, and pitched on different towns, the most eminent of which was Bruges in Flanders, where they established staples in which their commerce was regularly carried on. Thither the Lombards brought the productions of India, together with the manufactures of Italy, and exchanged them for the more bulky, but not less useful commodities of the north. The Hanseatic merchants disposed of the cargoes which they received from the Lombards, in the ports of the

Baltic, or carried them up the great rivers into the interior parts of Germany.

This regular intercourse opened between the nations in the north and south of Europe, made them sensible of their mutual wants, and created such new and increasing demands for commodities of every kind, that it excited among the inhabitants of the Netherlands a more vigorous spirit in carrying on the two great manufactures of wool and flax, which seem to have been considerable in that country as early as the age of Charlemagne. As Bruges became the centre of communication between the Lombard and Hanseatic merchants, the Flemings traded with both in that city to such extent as well as advantage, as spread among them a general habit of industry, which long rendered Flanders and the adjacent provinces the most opulent, the most populous, and best cultivated countries in Europe. Commerce makes progress in the Netherlands;

Struck with the flourishing state of these provinces, of which he discerned the true cause, Edward the third of England endeavoured to excite a spirit of industry among his own subjects, who, blind to the advantages of their situation, and ignorant of the source from which opulence was destined to flow into their country, were so little attentive to their commercial interests, as hardly to attempt those manufactures, the materials of which they furnished to foreigners. By alluring Flemish artisans to settle in his dominions, as well as by many wise laws for the encouragement and regulation of trade, Edward gave a beginning to the woollen manufactures of England, and first turned the active and enterprising genius of his people towards those arts which have raised the English to the highest rank among commercial nations. and in England.

This increase of commerce, and of intercourse between nations, how inconsiderable soever it may appear, in respect of their rapid and extensive progress during the last and present age, seems wonderfully The beneficial effects of this.

great, when we compare it with the state of both in Europe previous to the twelfth century. It did not fail of producing great effects. Commerce tends to wear off those prejudices which maintain distinction and animosity between nations. It softens and polishes the manners of men. It unites them by one of the strongest of all ties, the desire of supplying their mutual wants. It disposes them to peace, by establishing in every state an order of citizens bound by their interest to be the guardians of public tranquillity. As soon as the commercial spirit acquires vigour, and begins to gain an ascendant in any society, we discover a new genius in its policy, its alliances, its wars, and its negotiations. Conspicuous proofs of this occur in the history of the Italian states, of the Hanseatic league, and the cities of the Netherlands, during the period under review. In proportion as commerce made its way into the different countries of Europe, they successively turned their attention to those objects, and adopted those manners, which occupy and distinguish polished nations [a].

[a] Note xxx.

A VIEW

OF

THE PROGRESS OF SOCIETY IN EUROPE,

FROM THE SUBVERSION OF THE ROMAN EMPIRE TO THE BEGINNING OF THE SIXTEENTH CENTURY.

THE SECOND SECTION.

VIEW OF THE PROGRESS OF SOCIETY IN EUROPE, WITH RESPECT TO THE COMMAND OF THE NATIONAL FORCE REQUISITE IN FOREIGN OPERATIONS.

State of society greatly improved at the beginning of the fifteenth century.

SUCH are the events and institutions, which, by their powerful operation, contributed gradually to introduce regular government and polished manners in the various nations of Europe. When we survey the state of society, or the character of individuals, at the opening of the fifteenth century, and then turn back to view the condition of both, at the time when the barbarous tribes, which overturned the Roman power, completed their settlement in their new conquests, the progress which mankind had made towards order and refinement will appear immense.

Still defective with respect to the command of the national force.

Government, however, was still far from having attained that state, in which extensive monarchies act with the united vigour of the whole community, or carry on great undertakings with perseverance and success. Small tribes or communities, even in their

rudest state, may operate in concert, and exert their utmost force. They are excited to act not by the distant objects, or the refined speculations, which interest or affect men in polished societies, but by their present feelings. The insults of an enemy kindle resentment; the success of a rival tribe awakens emulation; these passions communicate from breast to breast, and all the members of the community, with united ardour, rush into the field, in order to gratify their revenge, or to acquire distinction. But in widely-extended states, such as the great kingdoms of Europe, at the beginning of the fifteenth century, where there is little intercourse between the distant members of the community, and where every great enterprise requires previous concert and long preparation, nothing can rouse and call forth their united strength, but the absolute command of a despot, or the powerful influence of regular policy. Of the former, the vast empires in the east are an example; the irresistible mandate of the sovereign reaches the most remote provinces of his dominions, and compels whatever number of his subjects he is pleased to summon, to follow his standard. The kingdoms of Europe, in the present age, are an instance of the latter; the prince, by the less violent, but no less effectual operation of laws, and a well-regulated government, is enabled to avail himself of the whole force of his state, and to employ it in enterprises which require strenuous and persevering efforts.

The power of monarchs very limited;

But, at the opening of the fifteenth century, the political constitution in all the kingdoms of Europe was very different from either of these states of government. The several monarchs, though they had somewhat enlarged the boundaries of prerogative by successful encroachments on the immunities and privileges of the nobility, were possessed of an authority extremely limited. The laws and interior police of kingdoms, though much improved by the various events and regulations which I have enumerated, were still feeble

and imperfect. In every country, a numerous body of nobles, who continued to be formidable, notwithstanding the various expedients employed to depress them, watched all the motions of their sovereign with a jealous attention, which set bounds to his ambition, and either prevented his forming schemes of extensive enterprise, or obstructed the execution of them.

their revenues small;

The ordinary revenues of every prince were so extremely small as to be inadequate to any great undertaking. He depended for extraordinary supplies on the good-will of his subjects, who granted them often with a reluctant, and always with a sparing hand.

their armies unfit for conquest.

As the revenues of princes were inconsiderable, the armies which they could bring into the field were unfit for long and effectual service. Instead of being able to employ troops trained to skill in arms, and to military subordination, by regular discipline, monarchs were obliged to depend on such forces as their vassals conducted to their standard in consequence of their military tenures. These, as they were bound to remain under arms only for a short time, could not march far from their usual place of residence, and being more attached to the lord of whom they held, than to the sovereign whom they served, were often as much disposed to counteract as to forward his schemes. Nor were they, even if they had been more subject to the command of the monarch, proper instruments to carry into execution any great and arduous enterprise. The strength of an army, formed either for conquest or defence, lies in infantry. To the stability and discipline of their legions, consisting chiefly of infantry, the Romans, during the times of the republic, were indebted for their victories; and when their descendants, forgetting the institutions which had led them to universal dominion, so far altered their military system as to place their principal confidence in a numerous cavalry, the undisciplined impetuosity of the barbarous nations, who fought mostly on foot, was sufficient, as I

have already observed, to overcome them. These nations, soon after they settled in their new conquests, uninstructed by the fatal errour of the Romans, relinquished the customs of their ancestors, and converted the chief force of their armies into cavalry. Among the Romans this change was occasioned by the effeminacy of their troops, who could not endure the fatigues of service, which their more virtuous and hardy ancestors had sustained with ease. Among the people who established the new monarchies into which Europe was divided, this innovation in military discipline seems to have flowed from the pride of the nobles, who, scorning to mingle with persons of inferior rank, aimed at being distinguished from them in the field, as well as during peace. The institution of chivalry, and the frequency of tournaments, in which knights, in complete armour, entered the lists on horseback with extraordinary splendour, displaying amazing address, force, and valour, brought cavalry into still greater esteem. The fondness for that service increased to such a degree, that during the thirteenth and fourteenth centuries the armies of Europe were composed almost entirely of cavalry. No gentleman would appear in the field but on horseback. To serve in any other manner, he would have deemed derogatory to his rank. The cavalry, by way of distinction, was called 'the battle,' and on it alone depended the fate of every action. The infantry, collected from the dregs and refuse of the people, ill armed and worse disciplined, was almost of no account.

They are incapable of forming any general or extensive plan of operation:

As these circumstances rendered the operations of particular kingdoms less considerable and less vigorous, so they long kept the princes of Europe from giving such attention to the schemes and transactions of their neighbours, as might lead them to form any regular system of public security. They were, of consequence, prevented from uniting in confederacy, or from acting with concert, in order to establish such a distri-

bution and balance of power, as should hinder any state from rising to a superiority, which might endanger the general liberty and independence. During several centuries, the nations of Europe appear to have considered themselves as separate societies, scarcely connected together by any common interest, and little concerned in each other's affairs or operations. An extensive commerce did not afford them an opportunity of observing and penetrating into the schemes of every different state. They had not ambassadors residing constantly in every court to watch and give early intelligence of all its motions. The expectation of remote advantages, or the prospect of distant and contingent evils, was not sufficient to excite nations to take arms. Such only as were within the sphere of immediate danger, and unavoidably exposed to injury or insult, thought themselves interested in any contest, or bound to take precautions for their own safety.

they were little connected with each other.

Whoever records the transactions of any of the more considerable European states, during the two last centuries, must write the history of Europe. Its various kingdoms, throughout that period, have been formed into one great system, so closely united, that, each holding a determinate station, the operations of one are so felt by all as to influence their counsels and regulate their measures. But previous to the fifteenth century, unless when vicinity of territory rendered the occasions of discord frequent and unavoidable, or when national emulation fomented or embittered the spirit of hostility, the affairs of different countries are seldom interwoven with each other. In each kingdom of Europe great events and revolutions happened, which the other powers beheld with almost the same indifference as if they had been uninterested spectators, to whom the effect of these transactions could never extend.

A confirmation of this from the affairs of France;

During the violent struggles between France and England, and notwithstanding the alarming progress which was made towards rendering one prince the

master of both these kingdoms, hardly one measure which can be considered as the result of a sagacious and prudent policy, was formed in order to guard against an event so fatal to Europe. The dukes of Burgundy and Bretagne, whom their situation would not permit to remain neutral, engaged, it is true, in the contest; but, in taking their part, they seem rather to have followed the impulse of their passions, than to have been guided by any just discernment of the danger which threatened themselves and the tranquillity of Europe. The other princes, seemingly unaffected by the alternate successes of the contending parties, left them to decide the quarrel by themselves, or interposed only by feeble and ineffectual negotiations.

from those of Spain;

Notwithstanding the perpetual hostilities in which the various kingdoms of Spain were engaged during several centuries, and the successive occurrences which visibly tended to unite that part of the continent into one great monarchy, the princes of Europe hardly took any step from which we may conclude that they gave a proper attention to that important event. They permitted a power to arise imperceptibly, and to acquire strength there, which soon became formidable to all its neighbours.

from those of Germany.

Amidst the violent convulsions with which the spirit of domination in the see of Rome, and the turbulent ambition of the German nobles, agitated the empire, neither the authority of the popes, seconded by all their artifices and intrigues, nor the solicitations of the emperors, could induce any of the powerful monarchs in Europe to engage in their quarrel, or to avail themselves of many favourable opportunities of interposing with effect and advantage.

This inactivity occasioned entirely by the state of government.

This amazing inactivity, during transactions so interesting, is not to be imputed to any incapacity of discerning their political consequences. The power of judging with sagacity, and of acting with vigour, is the portion of men of every age. The monarchs who

reigned in the different kingdoms of Europe during several centuries, were not blind to their particular interest, negligent of the public safety, or strangers to the method of securing both. If they did not adopt that salutary system, which teaches modern politicians to take the alarm at the prospect of distant dangers, which prompts them to check the first encroachments of any formidable power, and which renders each state the guardian, in some degree, of the rights and independence of all its neighbours, this was owing entirely to such imperfections and disorders in the civil government of each country, as made it impossible for sovereigns to act suitably to those ideas which the posture of affairs and their own observation must have suggested.

Events happened during the fifteenth century which render the efforts of nations more powerful and extensive.

But during the course of the fifteenth century various events happened, which, by giving princes more entire command of the force in their respective dominions, rendered their operations more vigorous and extensive. In consequence of this, the affairs of different kingdoms becoming more frequently as well as more intimately connected, they were gradually accustomed to act in concert and confederacy, and were insensibly prepared for forming a system of policy, in order to establish or to preserve such a balance of power as was most consistent with the general security. It was during the reign of Charles the fifth, that the ideas on which this system is founded first came to be fully understood. It was then that the maxims by which it has been uniformly maintained since that æra, were universally adopted. On this account, a view of the causes and events which contributed to establish a plan of policy more salutary and extensive than any that has taken place in the conduct of human affairs, is not only a necessary introduction to the following work, but is a capital object in the history of Europe.

The first of these was the depriv-

The first event that occasioned any considerable alteration in the arrangement of affairs in Europe, was

ing the English of their territories on the continent.

the annexation of the extensive territories, which England possessed on the continent, to the crown of France. While the English were masters of several of the most fertile and opulent provinces in France, and a great part of its most martial inhabitants was bound to follow their standard, an English monarch considered himself rather as the rival, than as the vassal, of the sovereign of whom he held. The kings of France, circumscribed and thwarted in their schemes and operations by an adversary no less jealous than formidable, durst not enter upon any enterprise of importance or of difficulty. The English were always at hand, ready to oppose them. They disputed even their right to their crown, and, being able to penetrate with ease into the heart of the kingdom, could arm against them those very hands which ought to have been employed in their defence. Timid counsels and feeble efforts were natural to monarchs in such a situation. France, dismembered and overawed, could not attain its proper station in the system of Europe. But the death of Henry the fifth of England, happily for France, and not unfortunately for his own country, delivered the French from the calamity of having a foreign master seated on their throne. The weakness of a long minority, the dissensions in the English court, together with the unsteady and languid conduct which these occasioned, afforded the French a favourable opportunity of recovering the territories which they had lost. The native valour of the French nobility, heightened to an enthusiastic confidence, by a supposed interposition of heaven in their behalf, conducted in the field by skilful leaders, and directed in the cabinet by a prudent monarch, was exerted with such vigour and success, during this favourable juncture, as not only wrested from the English their new conquests, but stripped them of their ancient possessions in France, and reduced them within the narrow precincts of Calais, and its petty territory.

As soon as so many considerable provinces were re-united to their dominions, the kings of France, conscious of this acquisition of strength, began to form bolder schemes of interior policy, as well as of foreign operations. They immediately became formidable to their neighbours, who began to fix their attention on their measures and motions, the importance of which they fully perceived. From this æra, France, possessed of the advantages which it derives from the situation and contiguity of its territories, as well as from the number and valour of its people, rose to new influence in Europe, and was the first power in a condition to give alarm to the jealousy or fears of the states around it.

The effect of this on increasing the power of the French monarchy;

Nor was France indebted for this increase of importance merely to the reunion of the provinces which had been torn from it. A circumstance attended the recovery of these, which, though less considerable and less observed, contributed not a little to give additional vigour and decision to all the efforts of that monarchy. During the obstinate struggles between France and England, all the defects of the military system under the feudal government were sensibly felt. A war of long continuance languished, when carried on by troops bound and accustomed to keep the field only for a short time. Armies, composed chiefly of heavy-armed cavalry, were unfit either for the defence or the attack of the many towns and castles, which it became necessary to guard or to reduce. In order to obtain such permanent and effective force, as became requisite during these lengthened contests, the kings of France took into their pay considerable bands of mercenary soldiers, levied sometimes among their own subjects, and sometimes in foreign countries. But, as the feudal policy provided no sufficient fund for such extraordinary service, these adventurers were dismissed at the close of every campaign, or upon any prospect of accommodation; and, having been little accustomed to the restraints of discipline, they frequently turned their arms

on the state of the military force in the nation;

against the country which they had been hired to defend, and desolated it with cruelty not inferior to that of its foreign enemies.

it occasions the introduction of standing armies.

A body of troops kept constantly on foot, and regularly trained to military subordination, would have supplied what was wanting in the feudal constitution, and have furnished princes with the means of executing enterprises to which they were then unequal. Such an establishment, however, was so repugnant to the genius of feudal policy, and so incompatible with the privileges and pretensions of the nobility, that during several centuries no monarch was either so bold, or so powerful, as to venture on any step towards introducing it. At last, Charles the seventh, availing himself of the reputation which he had acquired by his successes against the English, and taking advantage of the impressions of terrour which such a formidable enemy had left upon the minds of his subjects, executed that which

A.D. 1445. his predecessors durst not attempt. Under pretence of having always ready a force sufficient to defend the kingdom against any sudden invasion of the English, he, at the time when he disbanded his other troops, retained under arms a body of nine thousand cavalry, and of sixteen thousand infantry. He appropriated funds for the regular payment of these; he stationed them in different places of the kingdom, according to his pleasure; and appointed the officers who commanded and disciplined them. The prime nobility courted this service, in which they were taught to depend on their sovereign, to execute his orders, and to look up to him as the judge and rewarder of their merit. The feudal militia, composed of the vassals whom the nobles could call out to follow their standard, as it was in no degree comparable to a body of soldiers regularly trained to war, sunk gradually in reputation. The strength of an army was no longer estimated solely by the number of cavalry which served in it. From the time that gunpowder was invented, and the use of

cannon in the field became general, horsemen, cased in complete armour, lost all the advantages which gave them the preeminence over other soldiers. The helmet, the shield, and the breastplate, which resisted the arrow or the spear, no longer afforded them security against these new instruments of destruction. The service of infantry rose again into esteem, and victories were gained, and conquests made chiefly by their efforts. The nobles and their military tenants, though sometimes summoned to the field, according to ancient form, were considered as an encumbrance upon the troops with which they acted, and were viewed with contempt by soldiers accustomed to the vigorous and steady operations of regular service.

The effects of this.

Thus the regulations of Charles the seventh, by establishing the first standing army known in Europe, occasioned an important revolution in its affairs and policy. By taking from the nobles the sole direction of the national military force, which had raised them to such high authority and importance, a deep wound was given to the feudal aristocracy, in that part where its power seemed to be most complete.

France, by forming this body of regular troops, at a time when there was hardly a squadron or company kept in constant pay in any other part of Europe, acquired such advantages over its neighbours, either in attack or defence, that self-preservation made it necessary for them to imitate its example. Mercenary troops were introduced into all the considerable kingdoms on the continent. They gradually became the only military force that was employed or trusted. It has long been the chief object of policy to increase and to support them. It has long been the great aim of princes and ministers to discredit and to annihilate all other means of national activity or defence.

The monarchs of France encouraged to

As the kings of France got the start of other powers in establishing a military force in their dominions, which enabled them to carry on foreign operations with

extend their prerogative.

more vigour, and to greater extent, so they were the first who effectually broke the feudal aristocracy, and humbled the great vassals of the crown, who by their exorbitant power had long circumscribed the royal prerogative within very narrow limits, and had rendered all the efforts of the monarchs of Europe inconsiderable. Many things concurred to undermine, gradually, the power of the feudal aristocracy in France. The wealth and property of the nobility were greatly impaired during the long wars which the kingdom was obliged to maintain with the English. The extraordinary zeal with which they exerted themselves in defence of their country against its ancient enemies, exhausted entirely the fortunes of some great families. As almost every province in the kingdom was, in its turn, the seat of war, the lands of others were exposed to the depredations of the enemy, were ravaged by the mercenary troops which their sovereigns hired occasionally, but could not pay, or were desolated with rage still more destructive by the peasants, in different insurrections. At the same time, the necessities of government having forced their kings upon the desperate expedient of making great and sudden alterations in the current coin of the kingdom, the fines, quit-rents, and other payments fixed by ancient custom, sunk much in value, and the revenues of a fief were reduced far below the sum which it had once yielded. During their contests with the English, in which a generous nobility courted every station where danger appeared, or honour could be gained, many families of note became extinct, and their fiefs were reunited to the crown. Other fiefs, in a long course of years, fell to female heirs, and were divided among them, were diminished by profuse donations to the church, or were broken and split by the succession of remote collateral heirs [b].

[b] Boulainvilliers, Histoire du Gouvernement de France, Lettre xii.

Encouraged by these manifest symptoms of decline in that body which he wished to depress, Charles the seventh, during the first interval of peace with England, made several efforts towards establishing the regal prerogative on the ruins of the aristocracy. But his obligations to the nobles were so many, as well as recent, and their services in recovering the kingdom so splendid, as rendered it necessary for him to proceed with moderation and caution. Such, however, was the authority which the crown had acquired by the progress of its arms against the English, and so much was the power of the nobility diminished, that, without any opposition, he soon made innovations of great consequence in the constitution. He not only established that formidable body of regular troops which has been mentioned, but he was the first monarch of France, who, by his royal edict, without the concurrence of the states-general of the kingdom, levied an extraordinary subsidy on his people. He prevailed likewise with his subjects to render several taxes perpetual, which had formerly been imposed occasionally, and exacted during a short time. By means of all these innovations, he acquired such an increase of power, and extended his prerogative so far beyond its ancient limits, that, from being the most dependent prince who had ever sat upon the throne of France, he came to possess, during the latter years of his reign, a degree of authority which none of his predecessors had enjoyed for several ages [c].

The progress of the royal power under Charles the seventh;

A. D. 1440.

That plan of humbling the nobility which Charles began to execute, his son Louis the eleventh carried on with a bolder spirit, and with greater success. Louis was formed by nature to be a tyrant; and at whatever period he had been called to ascend the throne, his reign must have abounded with schemes to oppress his people, and to render his own power absolute. Subtle,

under Louis the eleventh.

[c] Histoire de France par Velly et Villaret, tom. xv. 331, etc. 389, tom. xvi. 324. Variations de la Monarchie Françoise, tom. iii. 162.

unfeeling, cruel; a stranger to every principle of integrity, and regardless of decency, he scorned all the restraints which a sense of honour or the desire of fame, imposes even upon ambitious men. Sagacious, at the same time, to discern what he deemed his true interest, and influenced by that alone, he was capable of pursuing it with a persevering industry, and of adhering to it with a systematic spirit, from which no object could divert, and no danger could deter him.

His measures for humbling the nobility;

The maxims of his administration were as profound as they were fatal to the privileges of the nobility. He filled all the departments of government with new men, and often with persons whom he called from the lowest, as well as most despised functions in life, and raised at pleasure to stations of great power or trust. These were his only confidents, whom he consulted in forming his plans, and to whom he committed the execution of them; while the nobles, accustomed to be the companions, the favourites, and the ministers of their sovereigns, were treated with such studied and mortifying neglect, that, if they would not submit to follow a court in which they appeared without any shadow of their ancient power, they were obliged to retire to their castles, where they remained unemployed and forgotten. Not satisfied with having rendered the nobles of less consideration, by taking out of their hands the sole direction of affairs, Louis added insult to neglect; and, by violating their most valuable privileges, endeavoured to degrade the order, and to reduce the members of it to the same level with other subjects. Persons of the highest rank among them, if so bold as to oppose his schemes, or so unfortunate as to awaken the jealousy of his capricious temper, were persecuted with rigour, from which all who belonged to the order of nobility had hitherto been exempt; they were tried by judges who had no right to take cognizance of their actions, and were subjected to torture, or condemned to an ignominious death, without regard to their birth or

condition. The people, accustomed to see the blood of the most illustrious personages shed by the hands of the common executioner, to behold them shut up in dungeons, and carried about in cages of iron, began to view the nobility with less reverence than formerly, and looked up with terrour to the royal authority, which seemed to have humbled or annihilated every other power in the kingdom.

and of dividing them.

At the same time, Louis, being afraid that oppression might rouse the nobles, whom the rigour of his government had intimidated, or that self-preservation might at last teach them to unite, dexterously scattered among them the seeds of discord, and industriously fomented those ancient animosities between the great families, which the spirit of jealousy and emulation, natural to the feudal government, had originally kindled and still kept alive. To accomplish this, all the arts of intrigue, all the mysteries and refinements of his fraudulent policy were employed, and with such success, that at a juncture which required the most strenuous efforts, as well as the most perfect union, the nobles never acted, except during one short sally of resentment at the beginning of his reign, either with vigour or in concert.

He adds to the number of standing forces.

As he stripped the nobility of their privileges, he added to the power and prerogative of the crown.

In order to have at command such a body of soldiers as might be sufficient to crush any force that his disaffected subjects could draw together, he not only kept on foot the regular troops which his father had raised, but, besides augmenting their number considerably, he took into his pay six thousand Swiss, at that time the best disciplined and most formidable infantry in Europe[d]. From the jealousy natural to tyrants, he confided in these foreign mercenaries, as the most devoted

[d] Mém de Comines, tom. i. 367. Dan. Hist. de la Milice Françoise, tom. i. 182.

instruments of oppression, and the most faithful guardians of the power which he had usurped. That they might be ready to act on the shortest warning, he, during the latter years of his reign, kept a considerable body of them encamped in one place [e].

He augments the revenues of the crown.

Great funds were requisite, not only to defray the expense of this additional establishment, but to supply the sums employed in the various enterprises which the restless activity of his genius prompted him to undertake. But the prerogative that his father had assumed, of levying taxes without the concurrence of the states-general, which he was careful not only to retain but to extend, enabled him to provide in some measure for the increasing charges of government.

His address in managing the assembly of states.

What his prerogative, enlarged as it was, could not furnish, his address procured. He was the first monarch in Europe who discovered the method of managing those great assemblies, in which the feudal policy had vested the power of granting subsidies and of imposing taxes. He first taught other princes the fatal art of beginning their attack on public liberty, by corrupting the source from which it should flow. By exerting all his power and address in influencing the election of representatives, by bribing or overawing the members, and by various changes which he artfully made in the form of their deliberations, Louis acquired such entire direction of these assemblies, that, from being the vigilant guardians of the privileges and property of the people, he rendered them tamely subservient towards promoting the most odious measures of his reign [f]. As no power remained to set bounds to his exactions, he not only continued all the taxes imposed by his father, but he made great additions to them, which amounted to a sum that appeared astonishing to his contemporaries [g].

[e] Mém. de Com. tom. i. 381.

[f] Mém. de Com. tom. i. 136. Chro. Scandal. ibid. tom. ii. p. 71.

[g] Mém. de Com. tom. i. 334. Charles the seventh levied taxes to the amount of 1,800,000 francs; Louis the eleventh raised 4,700,000. The

Nor was it the power alone or wealth of the crown that Louis increased; he extended its territories by acquisitions of various kinds. He got possession of Rousillon by purchase: Provence was conveyed to him by the will of Charles de Anjou; and upon the death of Charles the bold, he seized, with a strong hand, Burgundy and Artois, which had belonged to that prince. Thus, during the course of a single reign, France was formed into one compact kingdom, and the steady unrelenting policy of Louis the eleventh, not only subdued the haughty spirit of the feudal nobles, but established a species of government scarcely less absolute, or less terrible, than eastern despotism.

He enlarges the bounds of the French monarchy.

But fatal as his administration was to the liberties of his subjects, the authority which he acquired, the resources of which he became master, and his freedom from restraint in concerting his plans, as well as in executing them, rendered his reign active and enterprising. Louis negotiated in all the courts of Europe; he observed the motions of all his neighbours; he engaged, either as principal, or as an auxiliary, in every great transaction; his resolutions were prompt, his operations vigorous; and upon every emergence he could call forth into action the whole force of his kingdom. From the æra of his reign, the kings of France, no longer fettered and circumscribed at home by a jealous nobility, have exerted themselves more abroad, have formed more extensive schemes of foreign conquests, and have carried on war with a spirit and vigour long unknown in Europe.

By all these the French government rendered more active and enterprising.

The example which Louis set was too inviting not to be imitated by other princes. Henry the seventh, as soon as he was seated on the throne of England, formed

Steps taken towards extending

former had in pay 9000 cavalry and 16,000 infantry. The latter augmented the cavalry to 15,000, and the infantry to 25,000. Mém. de Comines, i. 384. During the latter years of his reign, he kept the greater part of these encamped in one place, and ready to march on the shortest warning. Ibid. 381.

the power of the crown in England;

the plan of enlarging his own prerogative, by breaking the power of the nobility. The circumstances under which he undertook to execute it were less favourable than those which induced Charles the seventh to make the same attempt; and the spirit with which he conducted it was very different from that of Louis the eleventh. Charles, by the success of his arms against the English, by the merit of having expelled them out of so many provinces, had established himself so firmly in the confidence of his people, as encouraged him to make bold encroachments on the ancient constitution. The daring genius of Louis broke through every barrier, and endeavoured to surmount or to remove every obstacle that stood in his way. But Henry held the sceptre by a disputed title; a popular faction was ready, every moment, to take arms against him; and after long civil wars, during which the nobility had often displayed their power in creating and deposing kings, he felt that the regal authority had been so much relaxed, and that he entered into possession of a prerogative so much abridged, as rendered it necessary to carry on his measures deliberately, and without any violent exertion. He endeavoured to undermine that formidable structure, which he durst not attack by open force. His schemes, though cautious and slow in their operation, were well concerted, and productive in the end of great effects. By his laws, permitting the barons to break the entails of their estates, and expose them to sale; by his regulations to prevent the nobility from keeping in their service those numerous bands of retainers which rendered them formidable and turbulent; by favouring the rising power of the commons; by encouraging population, agriculture, and commerce; by securing to his subjects, during a long reign, the enjoyment of the blessings which flow from the arts of peace; by accustoming them to an administration of government, under which the laws were executed with steadiness and vigour; he made, imperceptibly, consi-

derable alterations in the English constitution, and transmitted to his successor, authority so extensive, as rendered him one of the most absolute monarchs in Europe, and capable of the greatest and most vigorous efforts.

and in Spain.

In Spain, the union of all its crowns by the marriage of Ferdinand and Isabella; the glory that they acquired by the conquest of Granada, which brought the odious dominion of the Moors to a period; the command of the great armies which it had been necessary to keep long on foot, in order to accomplish this; the wisdom and steadiness of their administration; and the address with which they availed themselves of every incident that occurred to humble the nobility, and to extend their own prerogative, conspired in raising these monarchs to such eminence and authority as none of their predecessors had ever enjoyed. Though several causes, which shall be explained in another place, prevented their attaining the same powers with the kings of France and England, and preserved the feudal constitution longer entire in Spain, their great abilities supplied the defects of their prerogative, and improved with such dexterity all the advantages which they possessed, that Ferdinand carried on his foreign operations, which were very extensive, with extraordinary vigour and effect.

Events happened, which called the several monarchs to exert the new powers which they had acquired.

While these princes were thus enlarging the boundaries of prerogative, and taking such steps towards rendering their kingdom capable of acting with union and force, events occurred, which called them forth to exert the new powers which they had acquired. These engaged them in such a series of enterprises and negotiations, that the affairs of all the considerable nations in Europe came to be insensibly interwoven with each other; and a great political system was gradually formed, which grew to be an object of universal attention.

The first event which merits notice, on account of its

The first of these events was the marriage of the heiress of the house of Burgundy.

influence in producing this change in the state of Europe, was the marriage of the daughter of Charles the bold, the sole heiress of the house of Burgundy. For some years before her father's death, she had been considered as the apparent successor to his territories, and Charles had made proposals of marrying her to several different princes, with a view of alluring them, by that offer, to favour the schemes which his restless ambition was continually forming.

The importance of this to the state of Europe.

This rendered the alliance with her an object of general attention; and all the advantages of acquiring possession of her territories, the most opulent at that time and the best cultivated of any on this side of the Alps,

A.D. 1477, January 5.

were perfectly understood. As soon, then, as the untimely death of Charles opened the succession, the eyes of all the princes in Europe were turned towards Mary, and they felt themselves deeply interested in the choice which she was about to make of the person on whom she would bestow that rich inheritance.

Views of Louis the eleventh with respect to it.

Louis the eleventh, from whose kingdom several of the provinces which she possessed had been dismembered, and whose dominions stretched along the frontier of her territories, had every inducement to court her alliance. He had, likewise, a good title to expect the favourable reception of any reasonable proposition he should make, with respect to the disposal of a princess who was the vassal of his crown, and descended from the royal blood of France. There were only two propositions, however, which he could make with propriety. The one was the marriage of the dauphin, the other that of the count Angouelme, a prince of the blood, with the heiress of Burgundy. By the former, he would have annexed all her territories to his crown, and have rendered France at once the most respectable monarchy in Europe. But the great disparity of age between the two parties, Mary being twenty, and the dauphin only eight years old; the avowed resolution of the Flemings, not to choose a master possessed of such

power as might enable him to form schemes dangerous to their liberties; together with their dread of falling under the odious and oppressive government of Louis, were obstacles in the way of executing this plan, which it was vain to think of surmounting. By the latter, the accomplishment of which might have been attained with ease, Mary having discovered some inclination to a match with the count of Angouleme[h], Louis would have prevented the dominions of the house of Burgundy from being conveyed to a rival power; and in return for such a splendid establishment for the count of Angouleme, he must have obtained, or would have extorted from him, concessions highly beneficial to the crown of France. But Louis had been accustomed so long to the intricacies of a crooked and insidious policy, that he could not be satisfied with what was obvious and simple; and was so fond of artifice and refinement, that he came to consider these rather as an ultimate object, than merely as the means of conducting affairs. From this principle, no less than from his unwillingness to aggrandize any of his own subjects, or from his desire of oppressing the house of Burgundy, which he hated, he neglected the course which a prince less able and artful would have taken, and followed one more suited to his own genius.

The singular course which he followed.

He proposed to render himself, by force of arms, master of those provinces which Mary held of the crown of France, and even to push his conquests into her other territories, while he amused her with insisting continually on the impracticable match with the dauphin. In prosecuting this plan, he displayed wonderful talents and industry, and exhibited such scenes of treachery, falsehood, and cruelty, as are amazing even in the history of Louis the eleventh. Immediately upon the death of Charles, he put his troops in motion, and advanced towards the Netherlands. He corrupted

[h] Mém. de Comines, i. 358.

the leading men in the provinces of Burgundy and Artois, and seduced them to desert their sovereign. He got admission into some of the frontier towns, by bribing the governors; the gates of others were opened to him in consequence of his intrigues with the inhabitants. He negotiated with Mary; and, in order to render her odious to her subjects, he betrayed to them her most important secrets. He carried on a private correspondence with the two ministers whom she chiefly trusted, and then communicated the letters which he had received from them to the states of Flanders, who, enraged at their perfidy, brought them immediately to trial, tortured them with extreme cruelty, and, unmoved by the tears and entreaties of their sovereign, who knew and approved of all that the ministers had done, they beheaded them in her presence [1].

The effect of this, the marriage of Maximilian with the heiress of Burgundy, A.D. 1477.

While Louis, by this conduct, unworthy of a great monarch, was securing the possession of Burgundy, Artois, and the towns on the Somme, the states of Flanders carried on a negotiation with the emperor Frederic the third, and concluded a treaty of marriage between their sovereign and his son, Maximilian, archduke of Austria. The illustrious birth of that prince, as well as the high dignity of which he had the prospect, rendered the alliance honourable for Mary, while, from the distance of his hereditary territories, and the scantiness of his revenues, his power was so inconsiderable, as did not excite the jealousy or fear of the Flemings.

The influence of that on the state of Europe.

Thus Louis, by the caprice of his temper, and the excess of his refinements, put the house of Austria in possession of this noble inheritance. By this acquisition, the foundation of the future grandeur of Charles the fifth was laid; and he became master of those territories which enabled him to carry on his most formidable and decisive operations against France. Thus,

[1] Mém. de Comines, liv. v. chap. 15. p. 309, etc.

toc, the same monarch who first united the interior force of France, and established it on such a footing as to render it formidable to the rest of Europe, contributed, far contrary to his intention, to raise up a rival power, which, during two centuries, has thwarted the measures, opposed the arms, and checked the progress of his successors.

The next event of consequence in the fifteenth century, was the expedition of Charles the eighth into Italy. This occasioned revolutions no less memorable; produced alterations, both in the military and political system, which were more immediately perceived; roused the states of Europe to bolder efforts; and blended their affairs and interests more closely together. The mild administration of Charles, a weak but generous prince, seems to have revived the spirit and genius of the French nation, which the rigid despotism of Louis the eleventh, his father, had depressed and almost extinguished. The ardour for military service, natural to the French nobility, returned, and their young monarch was impatient to distinguish his reign by some splendid enterprise. While he was uncertain towards what quarter he should turn his arms, the solicitations and intrigues of an Italian politician, no less infamous on account of his crimes, than eminent for his abilities, determined his choice. Ludovico Sforza, having formed the design of deposing his nephew the duke of Milan, and of placing himself on the ducal throne, was so much afraid of a combination of the Italian powers to oppose this measure, and to support the injured prince, with whom most of them were connected by blood or alliance, that he saw the necessity of securing the aid of some able protector. The king of France was the person to whom he applied; and without disclosing his own intentions, he laboured to prevail with him to march into Italy, at the head of a powerful army, in order to seize the crown of Naples, to which Charles

The next considerable event was the invasion of Italy by Charles the eighth, A. D. 1494.

The motives of this.

had pretensions as heir of the house of Anjou. The right to that kingdom, claimed by the Angevin family, had been conveyed to Louis the eleventh, by Charles of Anjou, count of Maine and Provence. But that sagacious monarch, though he took immediate possession of those territories of which Charles was really master, totally disregarded his ideal title to a kingdom, over which another prince reigned in tranquillity; and uniformly declined involving himself in the labyrinth of Italian politics. His son, more adventurous, or more inconsiderate, embarked eagerly in this enterprise; and, contemning all the remonstrances of his most experienced counsellors, prepared to carry it on with the utmost vigour.

His resources for this enterprise.

The power which Charles possessed was so great, that he reckoned himself equal to this arduous undertaking. His father had transmitted to him such an ample prerogative, as gave him the entire command of his kingdom. He himself had added considerably to the extent of his dominions, by his prudent marriage with the heiress of Bretagne, which rendered him master of that province, the last of the great fiefs that remained to be annexed to the crown. He soon assembled forces which he thought sufficient; and so impatient was he to enter on his career as a conqueror, that, sacrificing what was real for what was chimerical, he restored Rousillon to Ferdinand, and gave up part of his father's acquisitions in Artois to Maximilian, with a view of inducing these princes not to molest France, while he was carrying on his operations in Italy.

His preparations for it.

But so different were the efforts of the states of Europe in the fifteenth century, from those which we shall behold in the course of this history, that the army with which Charles undertook this great enterprise, did not exceed twenty thousand men. The train of artillery, however, the ammunition and warlike stores of every kind provided for its use, were so considerable as to

bear some resemblance to the immense apparatus of modern war[k].

When the French entered Italy, they met with nothing able to resist them. The Italian powers having remained, during a long period, undisturbed by the invasion of any foreign enemy, had formed a system with respect to their affairs, both in peace and war, peculiar to themselves. In order to adjust the interests, and balance the power of the different states into which Italy was divided, they were engaged in perpetual and endless negotiations with each other, which they conducted with all the subtlety of a refining and deceitful policy. Their contests in the field, when they had recourse to arms, were decided in mock battles, by innocent and bloodless victories. Upon the first appearance of the danger which now impended, they had recourse to the arts which they had studied, and employed their utmost skill in intrigue in order to avert it. But this proving ineffectual, their bands of effeminate mercenaries, the only military force that remained in the country, being fit only for the parade of service, were terrified at the aspect of real war, and shrunk at its approach. The impetuosity of the French valour appeared to them irresistible. Florence, Pisa, and Rome, opened their gates as the French army advanced. The prospect of this dreadful invasion struck one king of Naples with such panic terrour, that he died, if we may believe historians, of the fright. Another abdicated his throne from the same pusillanimous spirit. A third fled out of his dominions, as soon as the enemy appeared on the Neapolitan frontiers. Charles, after marching thither from the bottom of the Alps, with as much rapidity, and almost as little opposition, as if he had been on a progress through his own dominions, took quiet possession of the throne of Naples, and intimidated or gave law to every power in Italy.

Its success.

[k] Mézéray, Hist. tom. ii. 777.

Its effects, particularly in giving rise to the system concerning a balance of power.

Such was the conclusion of an expedition, that must be considered as the first great exertion of those new powers which the princes of Europe had acquired, and now began to exercise. Its effects were no less considerable, than its success had been astonishing. The Italians, unable to resist the impression of the enemy, who broke in upon them, permitted him to hold on his course undisturbed. They quickly perceived that no single power, which they could rouse to action, was an equal match for a monarch who ruled over such extensive territories, and was at the head of such a martial people; but that a confederacy might accomplish what the separate members of it durst not attempt. To this expedient, the only one that remained to deliver or to preserve them from the yoke, they had recourse. While Charles inconsiderately wasted his time at Naples in festivals and triumphs on account of his past successes, or was fondly dreaming of future conquests in the east, to the empire of which he now aspired, they formed against him a powerful combination of almost all the Italian states, supported by the emperor Maximilian, and Ferdinand king of Aragon. The union of so many powers, who suspended or forgot all their particular animosities, that they might act in concert against an enemy who had become formidable to them all, awakened Charles from his thoughtless security. He saw now no prospect of safety but in returning to France. An army of thirty thousand men, assembled by the allies, was ready to obstruct his march; and though the French, with a daring courage, which more than countervailed their inferiority in number, broke through that great body, and gained a victory, which opened to their monarch a safe passage into his own territories, he was stripped of all his conquests in Italy in as short a time as it had taken to acquire them; and the political system in that country resumed the same appearance as before his invasion.

The sudden and decisive effect of this confederacy,

seems to have instructed the princes and statesmen of Italy as much as the irruption of the French had disconcerted and alarmed them. They had extended, on this occasion, to the affairs of Europe, the maxims of that political science which had hitherto been applied only to regulate the operations of the petty states in their own country. They had discovered the method of preventing any monarch from rising to such a degree of power, as was inconsistent with the general liberty, and had manifested the importance of attending to that great secret in modern policy, the preservation of a proper distribution of power among all the members of the system into which the states of Europe are formed. During all the wars of which Italy from that time was the theatre, and amidst the hostile operations which the imprudence of Louis the twelfth, and the ambition of Ferdinand of Aragon carried on in that country, with little interruption, from the close of the fifteenth century to that period at which the subsequent history commences, the maintaining a proper balance of power between the contending parties, became the great object of attention to the statesmen of Italy. Nor was the idea confined to them. Self-preservation taught other powers to adopt it. It grew to be fashionable and universal. From this æra we can trace the progress of that intercourse between nations, which has linked the powers of Europe so closely together, and can discern the operations of that provident policy, which, during peace, guards against remote and contingent dangers; and, in war, has prevented rapid and destructive conquests.

This becomes the great object of policy, first in Italy, and then in Europe.

This was not the only effect of the operations which the great powers of Europe carried on in Italy. They contributed to render general such a change, as the French had begun to make in the state of their troops, and obliged all the princes who appeared on this new theatre of action, to put the military force of their kingdoms on an establishment similar to that of France.

The wars in Italy render standing armies general;

When the seat of war came to be remote from the countries which maintained the contest, the service of the feudal vassals ceased to be of any use; and the necessity of employing soldiers regularly trained to arms, and kept in constant pay, came at once to be evident. When Charles the eighth marched into Italy, his cavalry was entirely composed of those companies of gendarmes, embodied by Charles the seventh, and continued by Louis the eleventh; his infantry consisted partly of Swiss, hired of the cantons, and partly of Gascons, armed and disciplined after the Swiss model. To these Louis the twelfth added a body of Germans, well known in the wars of Italy by the name of the 'black bands.' But neither of these monarchs made any account of the feudal militia, or ever had recourse to that military force, which they might have commanded in virtue of the ancient institutions in their kingdom. Maximilian and Ferdinand, as soon as they began to act in Italy, employed similar instruments, and trusted the execution of their plans entirely to mercenary troops.

teach the Europeans the superior importance of infantry in war.

This innovation in the military system was quickly followed by another, which the custom of employing Swiss in the Italian wars was the occasion of introducing. The arms and discipline of the Swiss were different from those of other European nations. During their long and violent struggles in defence of their liberties against the house of Austria, whose armies, like those of other considerable princes, consisted chiefly of heavy-armed cavalry, the Swiss found that their poverty, and the small number of gentlemen residing in their country, at that time barren and ill cultivated, put it out of their power to bring into the field any body of horse capable of facing the enemy. Necessity compelled them to place all their confidence in infantry; and, in order to render it capable of withstanding the shock of cavalry, they gave the soldiers breastplates and helmets, as defensive armour, together with long spears, halberts, and heavy swords, as wea-

pons of offence. They formed them into large battalions, ranged in deep and close array, so that they could present on every side a formidable front to the enemy[l]. The men at arms could make no impression on the solid strength of such a body. It repulsed the Austrians in all their attempts to conquer Swisserland. It broke the Burgundian gendarmerie, which was scarcely inferior to that of France, either in number or reputation; and when first called to act in Italy, it bore down, by its irresistible force, every enemy that attempted to oppose it. These repeated proofs of the decisive effect of infantry, exhibited on such conspicuous occasions, restored that service to reputation, and gradually reestablished the opinion, which had been long exploded, of its superior importance in the operations of war. But the glory which the Swiss had acquired having inspired them with such high ideas of their own prowess and consequence as frequently rendered them mutinous and insolent, the princes who employed them became weary of depending on the caprice of foreign mercenaries, and began to turn their attention towards the improvement of their national infantry.

National infantry established in Germany;

The German powers, having the command of men whom nature has endowed with that steady courage and persevering strength which form them to be soldiers, soon modelled their troops in such a manner, that they vied with the Swiss, both in discipline and valour.

in France;

The French monarchs, though more slowly, and with greater difficulty, accustomed the impetuous spirit of their people to subordination and discipline; and were at such pains to render their national infantry respectable, that, as early as the reign of Louis the twelfth, several gentlemen of high rank had so far abandoned their ancient ideas, as to condescend to enter into that service[m].

[l] Machiavel's Art of War, b. ii. chap. ii. p. 451.

[m] Brantome, tom. x. p. 18. Mém. de Fleuranges, 143.

in Spain.

The Spaniards, whose situation made it difficult to employ any other than their national troops in the southern parts of Italy, which was the chief scene of their operations in that country, not only adopted the Swiss discipline, but improved upon it, by mingling a proper number of soldiers, armed with heavy muskets, in their battalions; and thus formed that famous body of infantry, which, during a century and a half, was the admiration and terrour of all Europe. The Italian states gradually diminished the number of their cavalry, and, in imitation of their more powerful neighbours, brought the strength of their armies to consist in foot soldiers. From this period the nations of Europe have carried on war with forces more adapted to every species of service, more capable of acting in every country, and better fitted, both for making conquests, and for preserving them.

The Italian wars occasion an increase of the public revenues in Europe.

As their efforts in Italy led the people of Europe to these improvements in the art of war, they gave them likewise the first idea of the expense with which it is accompanied when extensive or of long continuance, and accustomed every nation to the burthen of such impositions as are necessary for supporting it. While the feudal policy subsisted in full vigour, while armies were composed of military vassals, called forth to attack some neighbouring power, and to perform, in a short campaign, the services which they owed to their sovereign, the expense of war was extremely moderate. A small subsidy enabled a prince to begin and to finish his greatest military operations. But when Italy became the theatre on which the powers of Europe contended for superiority, the preparations requisite for such a distant expedition, the pay of armies kept constantly on foot, their subsistence in a foreign country, the sieges to be undertaken, and the towns to be defended, swelled the charges of war immensely, and, by creating demands unknown in less active times, multiplied taxes in every kingdom. The progress of ambi-

tion, however, was so rapid, and princes extended their operations so fast, that it was impossible at first to establish funds proportional to the increase of expense which these occasioned. When Charles the eighth invaded Naples, the sums requisite for carrying on that enterprise so far exceeded those which France had been accustomed to contribute for the support of government, that before he reached the frontiers of Italy, his treasury was exhausted, and the domestic resources, of which his extensive prerogative gave him the command, were at an end. As he durst not venture to lay any new imposition on his people, oppressed already with the weight of unusual burthens, the only expedient that remained was, to borrow of the Genoese as much money as might enable him to continue his march. But he could not obtain a sufficient sum, without consenting to pay annually the exorbitant interest of forty-two livres for every hundred that he received [n]. We may observe the same disproportion between the efforts and revenues of other princes, his contemporaries. From this period, taxes went on increasing; and during the reign of Charles the fifth such sums were levied in every state, as would have appeared enormous at the close of the fifteenth century, and gradually prepared the way for the still more exorbitant exactions of modern times.

The league of Cambray another important occurrence:

The last transaction, previous to the reign of Charles the fifth, that merits attention, on account of its influence upon the state of Europe, is the league of Cambray. To humble the republic of Venice, and to divide its territories, was the object of all the powers who united in this confederacy. The civil constitution of Venice, established on a firm basis, had suffered no considerable alteration for several centuries; during which, the senate conducted its affairs by maxims of policy no less prudent than vigorous, and adhered to

[n] Mém. de Comines, lib. vii. c. 5. p. 440.

these with an uniform consistent spirit, which gave that commonwealth great advantage over other states, whose views and measures changed as often as the form of their government, or the persons who administered it. By these unintermitted exertions of wisdom and valour, the Venetians enlarged the dominions of their commonwealth, until it became the most considerable power in Italy; while their extensive commerce, the useful and curious manufactures which they carried on, together with the large share which they had acquired of the lucrative commerce with the east, rendered Venice the most opulent state in Europe.

the motives of it.

The power of the Venetians was the object of terrour to their Italian neighbours. Their wealth was viewed with envy by the greatest monarchs, who could not vie with many of their private citizens in the magnificence of their buildings, in the richness of their dress and furniture, or in splendour and elegance of living[o]. Julius the second, whose ambition was superior, and his abilities equal, to those of any pontiff who ever sat on the papal throne, conceived the idea of this league against the Venetians, and endeavoured, by applying to those passions which I have mentioned, to persuade other princes to join in it. By working upon the fears of the Italian powers, and upon the avarice of several monarchs beyond the Alps, he induced them, in concurrence with other causes, which it is not my province to explain, to form one of the most powerful confederacies that Europe had ever beheld, against those haughty republicans.

The rapid progress of the confederates.

The emperor, the king of France, the king of Aragon, and the pope, were principals in the league of Cambray, to which almost all the princes of Italy acceded, the least considerable of them hoping for some share in the spoils of a state, which they deemed to be now devoted to destruction. The Venetians might

[o] Heliani oratio apud Goldastum in polit. imperial. p. 980.

have diverted this storm, or have broken its force; but with a presumptuous rashness, to which there is nothing similar in the course of their history, they waited its approach. The impetuous valour of the French rendered ineffectual all their precautions for the safety of the republic; and the fatal battle of Ghiarraddada entirely ruined the army, on which they relied for defence. Julius seized all the towns which they held in the ecclesiastical territories. Ferdinand reannexed the towns of which they had got possession on the coast of Calabria, to his Neapolitan dominions. Maximilian, at the head of a powerful army, advanced towards Venice on the one side: the French pushed their conquests on the other. The Venetians, surrounded by so many enemies, and left without one ally, sunk from the height of presumption to the depths of despair; abandoned all their territories on the continent; and shut themselves up in their capital, as their last refuge, and the only place which they hoped to preserve.

Division arises among them.

This rapid success, however, proved fatal to the confederacy. The members of it, whose union continued while they were engaged in seizing their prey, began to feel their ancient jealousies and animosities revive, as soon as they had a prospect of dividing it. When the Venetians observed these symptoms of distrust and alienation, a ray of hope broke in upon them; the spirit natural to their councils returned; they resumed such wisdom and firmness, as made some atonement for their former imprudence and dejection; they recovered part of the territory which they had lost; they appeased the pope and Ferdinand by well-timed concessions in their favour; and, at length, dissolved the confederacy, which had brought their commonwealth to the brink of ruin.

New objects of their policy and ambition.

Julius, elated with beholding the effects of a league which he himself had planned, and imagining that nothing was too arduous for him to undertake, conceived the idea of expelling every foreign power

out of Italy, and bent all the force of his mind towards executing a scheme so well suited to his enterprising genius. He directed his first attack against the French, who, on many accounts, were more odious to the Italians, than any of the foreigners who had acquired dominion in their country. By his activity and address, he prevailed on most of the powers, who had joined in the league of Cambray, to turn their arms against the king of France, their former ally; and engaged Henry the eighth, who had lately ascended the throne of England, to favour their operations, by invading France. Louis the twelfth resisted all the efforts of this formidable and unexpected confederacy with undaunted fortitude. Hostilities were carried on, during several campaigns, in Italy, on the frontiers of Spain, and in Picardy, with alternate success. Exhausted, at length, by the variety as well as extent of his operations; unable to withstand a confederacy which brought against him superior force, conducted with wisdom and acting with perseverance, Louis found it necessary to conclude separate treaties of peace with his enemies; and the war terminated with the loss of every thing which the French had acquired in Italy, except the castle of Milan, and a few inconsiderable towns in that duchy.

By this the intercourse among the European nations increases.

The various negotiations carried on during this busy period, and the different combinations formed among powers hitherto little connected with each other, greatly increased that intercourse among the nations of Europe, which I have mentioned as one effect of the events in the fifteenth century; while the greatness of the objects at which different nations aimed, the distant expeditions which they undertook as well as the length and obstinacy of the contest in which they engaged, obliged them to exert themselves with a vigour and perseverance unknown in the preceding ages.

They are prepared for the transactions

Those active scenes which the following history will exhibit, as well as the variety and importance of those transactions which distinguish the period to which it

extends, are not to be ascribed solely to the ambition, to the abilities, or to the rivalship of Charles the fifth and of Francis the first. The kingdoms of Europe had arrived at such a degree of improvement in the internal administration of government, and princes had acquired such command of the national force which was to be exerted in foreign wars, that they were in a condition to enlarge the sphere of their operations, to multiply their claims and pretensions, and to increase the vigour of their efforts. Accordingly the sixteenth century opened with the certain prospect of its abounding in great and interesting events.

of the sixteenth century.

A VIEW

OF

THE PROGRESS OF SOCIETY IN EUROPE,

FROM THE SUBVERSION OF THE ROMAN EMPIRE TO THE BEGINNING OF THE SIXTEENTH CENTURY.

THE THIRD SECTION.

VIEW OF THE POLITICAL CONSTITUTION OF THE PRINCIPAL STATES IN EUROPE, AT THE COMMENCEMENT OF THE SIXTEENTH CENTURY.

A considerable variety in the constitution of the different nations of Europe.

HAVING thus enumerated the principal causes and events, the influence of which was felt in every part of Europe, and contributed either to improve internal order and police in its various states, or to enlarge the sphere of their activity, by giving them more entire command of the force with which foreign operations are carried on; nothing farther seems requisite for preparing my readers to enter, with full information, upon perusing the history of Charles the fifth, but to give a view of the political constitution and form of civil government in each of the nations which acted any considerable part during that period. For as the institutions and events, which I have endeavoured to illustrate, formed the people of Europe to resemble each other, and conducted them from barbarism to refinement, in the same path, and by nearly equal steps;

there were other circumstances which occasioned a difference in their political establishments, and gave rise to those peculiar modes of government, which have produced such variety in the character and genius of nations.

Necessary to explain the state of each when Charles the fifth began his reign.

It is no less necessary to become acquainted with the latter, than to have contemplated the former. Without a distinct knowledge of the peculiar form and genius of civil government in each state, a great part of its transactions must appear altogether mysterious and inexplicable. The historians of particular countries, as they seldom extended their views farther than to the amusement or instruction of their fellow-citizens, by whom they might presume that all their domestic customs and institutions were perfectly understood, have often neglected to descend into such details with respect to these, as are sufficient to convey to foreigners full light and information concerning the occurrences which they relate. But a history, which comprehends the transactions of so many different countries, would be extremely imperfect, without a previous survey of the constitution and political state of each. It is from his knowledge of these, that the reader must draw those principles, which will enable him to judge with discernment, and to decide with certainty, concerning the conduct of nations.

A minute detail, however, of the peculiar forms and regulations in every country, would lead to deductions of immeasurable length. To sketch out the great lines which distinguish and characterize each government, is all that the nature of my present work will admit of, and all that is necessary to illustrate the events which it records.

The state of Italy.

At the opening of the sixteenth century, the political aspect of Italy was extremely different from that of any other part of Europe. Instead of those extensive monarchies, which occupied the rest of the continent, that delightful country was parcelled out among many

small states, each of which possessed sovereign and independent jurisdiction. The only monarchy in Italy was that of Naples. The dominion of the popes was of a peculiar species, to which there is nothing similar either in ancient or modern times. In Venice, Florence, and Genoa, a republican form of government was established. Milan was subject to sovereigns, who had assumed no higher title than that of dukes.

The papal dignity the highest in Europe.

The pope was the first of these powers in dignity, and not the least considerable by the extent of his territories. In the primitive church, the jurisdiction of bishops was equal and coordinate. They derived, perhaps, some degree of consideration from the dignity of the see in which they presided. They possessed, however, no real authority or preeminence, but what they acquired by superior abilities, or superior sanctity. As Rome had so long been the seat of empire, and the capital of the world, its bishops were on that account entitled to respect; they received it; but during several ages they received, and even claimed, nothing more. From these humble beginnings, they advanced with such adventurous and well-directed ambition, that they established a spiritual dominion over the minds and sentiments of men, to which all Europe submitted with implicit obedience. Their claim of universal jurisdiction, as heads of the church, and their pretensions to infallibility in their decisions, as successors of St. Peter, are as chimerical, as they are repugnant to the genius of the christian religion. But on these foundations the superstition and credulity of mankind enabled them to erect an amazing superstructure. In all ecclesiastical controversies, their decisions were received as the infallible oracles of truth. Nor was the plenitude of their power confined solely to what was spiritual; they dethroned monarchs; disposed of crowns; absolved subjects from the obedience due to their sovereigns; and laid kingdoms under interdicts. There was not a state in Europe which had not been dis-

Origin and progress of the papal power.

quieted by their ambition. There was not a throne which they had not shaken; nor a prince who did not tremble at their power.

The territories of the popes inadequate to support their spiritual jurisdiction.

Nothing was wanting to render this empire absolute, and to establish it on the ruins of all civil authority, but that the popes should have possessed such a degree of temporal power, as was sufficient to second and enforce their spiritual decrees. Happily for mankind, at the time when their spiritual jurisdiction was most extensive and most revered, their secular dominion was extremely limited. They were powerful pontiffs, formidable at a distance; but they were petty princes, without any considerable domestic force. They had early endeavoured, indeed, to acquire territory by arts similar to those which they had employed in extending their spiritual jurisdiction. Under pretence of a donation from Constantine, and of another from Charlemagne or his father Pepin, they attempted to take possession of some towns adjacent to Rome. But these donations were fictitious, and availed them little. The benefactions, for which they were indebted to the credulity of the Norman adventurers, who conquered Naples, and to the superstition of the countess Matilda, were real, and added ample domains to the holy see.

Their authority in their own territories extremely limited.

But the power of the popes did not increase in proportion to the extent of territory which they had acquired. In the dominions annexed to the holy see, as well as in those subject to other princes in Italy, the sovereign of a state was far from having the command of the force which it contained. During the turbulence and confusion of the middle ages, the powerful nobility, or leaders of popular factions in Italy, had seized the government of different towns; and, after strengthening their fortifications, and taking a body of mercenaries into pay, they aspired at independence. The territory which the church had gained was filled with petty lords of this kind, who left the pope hardly the shadow of domestic authority.

It was circumscribed by the ambition of the Roman barons,

As these usurpations almost annihilated the papal power in the greater part of the towns subject to the church, the Roman barons frequently disputed the authority of the popes, even in Rome itself. In the twelfth century an opinion began to be propagated, "That as the function of ecclesiastics was purely spiritual, they ought to possess no property, and to claim no temporal jurisdiction; but, according to the laudable example of their predecessors in the primitive church, should subsist wholly upon their tithes, or upon the voluntary oblations of the people[p]." This doctrine being addressed to men, who had beheld the scandalous manner in which the avarice and ambition of the clergy had prompted them to contend for wealth, and to exercise power, they listened to it with fond attention. The Roman barons, who had felt most sensibly the rigour of ecclesiastical oppression, adopted these sentiments with such ardour, that they set themA.D.1143. selves instantly to shake off the yoke. They endeavoured to restore some image of their ancient liberty, by reviving the institution of the Roman senate, in which they vested supreme authority; committing the executive power sometimes to one chief senator, sometimes to two, and sometimes to a magistrate dignified with the name of 'the patrician.' The popes exerted themselves with vigour, in order to check this dangerous encroachment on their jurisdiction. One of them, finding all his endeavours ineffectual, was so much mortified, that extreme grief cut short his days. Another, having ventured to attack the senators, at the head of some armed men, was mortally wounded in the fray[q]. During a considerable period, the power of the popes, before which the greatest monarchs in Europe trembled, was circumscribed within such narrow limits in their own capital, that they durst hardly exert

[p] Otto Frisingensis de Gestis Frider. Imp. lib. ii. cap. 10.

[q] Otto Frising. Chron. lib. vii. cap. 27. 31. Id. de Gest. Frid. lib. i. c. 27. Muratori, Annali d'Italia, vol. ix. 398. 404.

any act of authority, without the permission and concurrence of the senate.

and by the turbulence of the Roman people from a. d. 1308 to a.d. 1377.

Encroachments were made upon the papal sovereignty, not only by the usurpations of the Roman nobility, but by the mutinous spirit of the people. During seventy years of the fourteenth century, the popes fixed their residence in Avignon. The inhabitants of Rome, accustomed to consider themselves as the descendants of the people who had conquered the world, and had given laws to it, were too high-spirited to submit with patience to the delegated authority of those persons to whom the popes committed the government of the city. On many occasions, they opposed the execution of the papal mandates, and on the slightest appearance of innovation or oppression, they were ready to take arms in defence of their own immunities. Towards the middle of the fourteenth century, being instigated by Nicolas Rienzo, a man of low birth and a seditious spirit, but of popular eloquence, and an enterprising ambition, they drove all the nobility out of the city, established a democratical form of government, elected Rienzo tribune of the people, and invested him with extensive authority. But though the frantic proceedings of the tribune soon overturned this new system; though the government of Rome was reinstated in its ancient form; yet every fresh attack contributed to weaken the papal jurisdiction: and the turbulence of the people concurred with the spirit of independence among the nobility, in circumscribing it more and more[r]. Gregory the seventh, and other domineering pontiffs accomplished those great things which rendered them so formidable to the emperors with whom they contended, not by the force of their arms, or by the extent of their power, but by the

[r] Histoire Florentine de Giov. Villani, liv. xii. c. 89. 104. ap. Murat. Script. Rerum Ital. vol. xiii. Vita di Cola di Rienzo, ap. Murat. Antiq. Ital. vol. iii. p. 399, etc. Hist. de Nic. Rienzy, par M. de Boispréaux, p. 91, etc.

dread of their spiritual censures, and by the effect of their intrigues, which excited rivals, and called forth enemies against every prince whom they wished to depress or to destroy.

Alexander the seventh and Julius the second render the popes considerable princes.

Many attempts were made by the popes, not only to humble those usurpers, who lorded it over the cities in the ecclesiastical state, but to break the turbulent spirit of the Roman people. These were long unsuccessful. But, at last, Alexander the sixth, with a policy no less artful than flagitious, subdued or extirpated most of the great Roman barons, and rendered the popes masters of their own dominions. The enterprising ambition of Julius the second, added conquests of no inconsiderable value to the patrimony of St. Peter. Thus the popes, by degrees, became powerful temporal princes. Their territories, in the age of Charles the fifth, were of greater extent than at present; their country seems to have been better cultivated, as well as more populous; and, as they drew large contributions from every part of Europe, their revenues far exceeded those of the neighbouring powers, and rendered them capable of more sudden and vigorous efforts.

Defects in the nature of ecclesiastical dominion.

The genius of the papal government, however, was better adapted to the exercise of spiritual dominion, than of temporal power. With respect to the former, all its maxims were steady and invariable. Every new pontiff adopted the plan of his predecessor. By education and habit, ecclesiastics were so formed, that the character of the individual was sunk in that of the profession; and the passions of the man were sacrificed to the interest and honour of the order. The hands which held the reins of administration might change; but the spirit which conducted them was always the same. While the measures of other governments fluctuated, and the objects at which they aimed varied, the church kept one end in view; and to this unrelaxing constancy of pursuit, it was indebted for its success in the boldest attempts ever made by human ambition.

But in their civil administration, the popes followed no such uniform or consistent plan. There, as in other governments, the character, the passions, and the interest of the person who had the supreme direction of affairs, occasioned a variation, both in objects and measures. As few prelates reached the summit of ecclesiastical dignity until they were far advanced in life, a change of masters was more frequent in the papal dominions than in other states, and the political system was, of course, less stable and permanent. Every pope was eager to make the most of the short period during which he had the prospect of enjoying power, in order to aggrandize his own family, and to attain his private ends; and it was often the first business of his successor to undo all that he had done, and to overturn what he had established.

As ecclesiastics were trained to pacific arts, and early initiated in the mysteries of that policy by which the court of Rome extended or supported its spiritual dominion, the popes in the conduct of their temporal affairs were apt to follow the same maxims, and, in all their measures, were more ready to employ the refinements of intrigue than the force of arms. It was in the papal court that address and subtlety in negotiation became a science; and during the sixteenth century, Rome was considered as the school in which it might be best acquired.

As the decorum of their ecclesiastical character prevented the popes from placing themselves at the head of their armies, or from taking the command, in person, of the military force in their dominions, they were afraid to arm their subjects; and in all their operations, whether offensive or defensive, they trusted entirely to mercenary troops.

As their power and dominions could not descend to their posterity, the popes were less solicitous than other princes to form or to encourage schemes of public utility and improvement. Their tenure was only for a

short life; present advantage was what they chiefly studied; to squeeze and to amass, rather than to meliorate, was their object. They erected, perhaps, some work of ostentation, to remain as a monument of their pontificate; they found it necessary, at some times, to establish useful institutions, in order to sooth and silence the turbulent populace of Rome; but plans of general benefit to their subjects, framed with a view to futurity, were rarely objects of attention in the papal policy. The patrimony of St. Peter was worse governed than any part of Europe; and though a generous pontiff might suspend for a little, or counteract the effects of those vices which are peculiar to the administration of ecclesiastics the disease not only remained without remedy, but has gone on increasing from age to age; and the decline of the state has kept pace with its progress.

The popes derive some advantages from the union of their spiritual and temporal authority.

One circumstance, farther, concerning the papal government, is so singular as to merit attention. As the spiritual supremacy and temporal power were united in one person, and uniformly aided each other in their operations, they became so blended together, that it was difficult to separate them, even in imagination. The potentates, who found it necessary to oppose the measures which the popes pursued as temporal princes, could not easily divest themselves of the reverence which they imagined to be due to them as heads of the church, and vicars of Jesus Christ. It was with reluctance that they could be brought to a rupture with the head of the church; they were unwilling to push their operations against him to extremity; they listened eagerly to the first overtures of accommodation, and were anxious to procure it almost upon any terms. Their consciousness of this encouraged the enterprising pontiffs, who filled the papal throne about the beginning of the sixteenth century, to engage in schemes seemingly the most extravagant. They trusted, that if their temporal power was not sufficient to carry them

through with success, the respect paid to their spiritual dignity would enable them to extricate themselves with facility and with honour[s]. But when popes came to take part more frequently in the contests among princes, and to engage as principals or auxiliaries in every war kindled in Europe, this veneration for their sacred character began to abate; and striking instances will occur in the following History of its being almost totally extinct.

Constitution of the republic of Venice with its rise and progress.

Of all the Italian powers, the republic of Venice, next to the papal see, was most connected with the rest of Europe. The rise of that commonwealth, during the inroads of the Huns in the fifth century; the singular situation of its capital in the small isles of the Adriatic gulf; and the more singular form of its civil constitution, are generally known. If we view the Venetian government as calculated for the order of nobles alone, its institutions may be pronounced excellent; the deliberative, legislative, and executive powers are so admirably distributed and adjusted, that it must be regarded as a perfect model of political wisdom. But if we consider it as formed for a numerous body of

[s] The manner in which Louis the twelfth of France undertook and carried on war against Julius the second, remarkably illustrates this observation. Louis solemnly consulted the clergy of France, whether it was lawful to take arms against a pope who had wantonly kindled war in Europe, and whom neither the faith of treaties, nor gratitude for favours received, nor the decorum of his character, could restrain from the most violent actions to which the lust of power prompts ambitious princes. Though his clergy authorized the war, yet Anne of Bretagne, his queen, entertained scruples with regard to the lawfulness of it. The king himself, from some superstition of the same kind, carried it on faintly; and, upon every fresh advantage, renewed his propositions of peace. Mézéray, Hist. de France, fol. edit. 1685, tom. i. 852. I shall produce another proof of this reverence for the papal character, still more striking. Guicciardini, the most sagacious, perhaps, of all modern historians, and the boldest in painting the vices and ambition of the popes, represents the death of Migliau, a Spanish officer, who was killed during the siege of Naples, as a punishment inflicted on him by heaven, on account of his having opposed the setting of Clement the seventh at liberty. Guic. Istoria d'Italia. Genev. 1645, vol. ii. lib. 18. p. 467.

people subject to its jurisdiction, it will appear a rigid and partial aristocracy, which lodges all power in the hands of a few members of the community, while it degrades and oppresses the rest.

Defects in its government, particularly with respect to its military operations.

The spirit of government, in a commonwealth of this species, was, of course, timid and jealous. The Venetian nobles distrusted their own subjects, and were afraid of allowing them the use of arms. They encouraged among them arts of industry and commerce; they employed them in manufactures and in navigation; but never admitted them into the troops which the state kept in its pay. The military force of the republic consisted entirely of foreign mercenaries. The command of these was never trusted to noble Venetians, lest they should acquire such influence over the army as might endanger the public liberty; or become accustomed to the exercise of such power, as would make them unwilling to return to the condition of private citizens. A soldier of fortune was placed at the head of the armies of the commonwealth; and to obtain that honour, was the great object of the Italian 'condottieri,' or leaders of bands, who, in the fifteenth and sixteenth centuries, made a trade of war, and raised and hired out soldiers to different states. But the same suspicious policy, which induced the Venetians to employ these adventurers, prevented their placing entire confidence in them. Two noblemen, appointed by the senate, accompanied their army, when it took the field, with the appellation of 'proveditori,' and, like the field deputies of the Dutch republic in latter times, observed all the motions of the general, and checked and controlled him in all his operations.

A commonwealth, with such civil and military institutions, was not formed to make conquests. While its subjects were disarmed, and its nobles excluded from military command, it carried on its warlike enterprises with great disadvantage. This ought to have taught the Venetians to rest satisfied with making self-preser-

vation, and the enjoyment of domestic security, the objects of their policy. But republics are apt to be seduced by the spirit of ambition, as well as kings. When the Venetians so far forgot the interior defects in their government, as to aim at extensive conquests, the fatal blow which they received in the war excited by the league of Cambray, convinced them of the imprudence and danger of making violent efforts, in opposition to the genius and tendency of their constitution.

It is not, however, by its military, but by its naval and commercial power, that the importance of the Venetian commonwealth must be estimated. The latter constituted the real force and nerves of the state. The jealousy of government did not extend to this department. Nothing was apprehended from this quarter that could prove formidable to liberty. The senate encouraged the nobles to trade, and to serve on board the fleet. They became merchants and admirals. They increased the wealth of their country by their industry. They added to its dominions, by the valour with which they conducted its naval armaments.

Excellence in its naval institutions.

Commerce was an inexhaustible source of opulence to the Venetians. All the nations in Europe depended upon them, not only for the commodities of the east, but for various manufactures fabricated by them alone, or finished with a dexterity and elegance unknown in other countries. From this extensive commerce, the state derived such immense supplies as concealed those vices in its constitution which I have mentioned; and enabled it to keep on foot such armies, as were not only an overmatch for the force which any of its neighbours could bring into the field, but were sufficient to contend, for some time, with the powerful monarchs beyond the Alps. During its struggles with the princes united against it by the league of Cambray, the republic levied sums which, even in the present age, would be deemed considerable; and while the king of France paid the exorbitant interest which I have mentioned for the

The extent of its commerce.

money advanced to him, and the emperor, eager to borrow, but destitute of credit, was known by the name of 'Maximilian the moneyless,' the Venetians raised whatever sums they pleased, at the moderate premium of five in the hundred[t].

The constitution of Florence.

The constitution of Florence was perfectly the reverse of the Venetian. It partook as much of democratical turbulence and licentiousness, as the other of aristocratical rigour. Florence, however, was a commercial, not a military democracy. The nature of its institutions was favourable to commerce, and the genius of the people was turned towards it. The vast wealth which the family of Medici had acquired by trade, together with the magnificence, the generosity, and the virtue of the first Cosmo, gave him such an ascendant over the affections as well as the councils of his countrymen, that though the forms of popular government were preserved, though the various departments of administration were filled by magistrates distinguished by the ancient names, and elected in the usual manner, he was in reality the head of the commonwealth; and in the station of a private citizen he possessed supreme authority. Cosmo transmitted a considerable degree of this power to his descendants; and during the greater part of the fifteenth century, the political state of Florence was extremely singular. The appearance of republican government subsisted, the people were passionately attached to it, and, on some occasions, contended warmly for their privileges, and yet they permitted a single family to assume the direction of their affairs, almost as absolutely as if it had been formally invested with sovereign power. The jealousy of the Medici concurred with the commercial spirit of the Florentines, in putting the military force of the republic upon the same footing with that of the other Italian

[t] Hist. de la Ligue faite à Cambray, par M. l'Abbé du Bos, liv. v. Sandi, Storia Civile Veneziana, lib. viii. c. 16. p. 891, etc.

states. The troops, which the Florentines employed in their wars, consisted almost entirely of mercenary soldiers, furnished by the 'condottieri,' or leaders of bands, whom they took into their pay.

The constitution of the kingdom of Naples.

In the kingdom of Naples, to which the sovereignty of the island of Sicily was annexed, the feudal government was established in the same form, and with the same defects, as in the other nations of Europe. The frequent and violent revolutions which happened in that monarchy had considerably increased these defects, and rendered them more intolerable. The succession to the crown of Naples had been so often interrupted or altered, and so many princes of foreign blood had, at different periods, obtained possession of the throne, that the Neapolitan nobility had lost, in a great measure, that attachment to the family of their sovereigns, as well as that reverence for their persons, which, in other feudal kingdoms, contributed to set some bounds to the encroachments of the barons upon the royal prerogative and power. At the same time, the different pretenders to the crown, being obliged to court the barons who adhered to them, and on whose support they depended for the success of their claims, they augmented their privileges by liberal concessions, and connived at their boldest usurpations. Even when seated on the throne, it was dangerous for a prince, who held his sceptre by a disputed title, to venture on any step towards extending his own power, or circumscribing that of the nobles.

From all these causes, the kingdom of Naples was the most turbulent of any in Europe, and the authority of its monarchs the least extensive. Though Ferdinand the first, who began his reign in the year one thousand four hundred and sixty-eight, attempted to break the power of the aristocracy; though his son Alphonso, that he might crush it at once by cutting off the leaders of greatest reputation and influence among the Neapolitan barons, ventured to commit one of the

A. D. 1487. most perfidious and cruel actions recorded in history; the order of nobles was nevertheless more exasperated than humbled by their measures[u]. The resentment which these outrages excited was so violent, and the power of the malecontent nobles was still so formidable, that to these may be ascribed, in a great degree, the ease and rapidity with which Charles the eighth conquered the kingdom of Naples[x].

State of the dispute concerning the right of succession to the crown.

The event that gave rise to the violent contests concerning the succession to the crown of Naples and Sicily, which brought so many calamities upon these kingdoms, happened in the thirteenth century. Upon the death of the emperor Frederic the second, Manfred, his natural son, aspiring to the Neapolitan throne,

A. D. 1254. murdered his brother, the emperor Conrad, (if we may believe contemporary historians,) and by that crime obtained possession of it[y]. The popes, from their implacable enmity to the house of Swabia, not only refused to recognise Manfred's title, but endeavoured to excite against him some rival capable of wresting the sceptre out of his hand. Charles, count of Anjou, the brother of St. Louis, king of France, undertook this; and he received from the popes the investiture of the kingdom of Naples and Sicily as a fief held of the holy see. The count of Anjou's efforts were crowned with success; Manfred fell in battle; and he took possession of the vacant throne. But soon after, Charles sullied the glory which he had acquired, by the injustice and cruelty with which he put to death, by the hands of the executioner, Conradin, the last prince of the house of Swabia, and the rightful heir of the Neapolitan crown. That gallant young prince asserted his title, to the last, with a courage worthy of a better fate. On the scaffold, he declared Peter, at that time prince and soon after king of Aragon, who had married Man-

[u] Giannone, book xxviii. chap. 2. vol. ii. p. 410, etc.

[x] Id. ibid. p. 414.

[y] Struv. Corp. Hist. Germ. i. 481. Giannone, book xviii. ch. v.

fred's only daughter, his heir; and throwing his glove among the people, he entreated that it might be carried to Peter, as the symbol by which he conveyed all his rights to him[z]. The desire of avenging the insult offered to royalty by the death of Conradin, concurred with his own ambition, in prompting Peter to take arms in support of the title which he had acquired. From that period, during almost two centuries, the houses of Aragon and Anjou contended for the crown of Naples. Amidst a succession of revolutions more rapid, as well as of crimes more atrocious, than what occur in the history of almost any other kingdom, monarchs, sometimes of the Aragonese line, and sometimes of the Angevin, were seated on the throne. At length the princes of the house of Aragon obtained such firm possession of this long-disputed inheritance, that they transmitted it quietly to a bastard branch of their family[a]. A. D. 1434.

The race of the Angevin kings, however, was not extinct; nor had they relinquished their title to the Neapolitan crown. The count of Maine and Provence, the heir of this family, conveyed all his rights and pretensions to Louis the eleventh, and to his successors. Charles the eighth, as I have already related, crossed the Alps at the head of a powerful army, in order to prosecute his claim with a degree of vigour, far superior to that which the princes from whom he derived it had been capable of exerting. The rapid progress of his arms in Italy, as well as the short time during which he enjoyed the fruits of his success, have already been mentioned, and are well known. Frederic, the heir of the illegitimate branch of the Aragonese family, soon recovered the throne of which Charles had dispossessed him. Louis the twelfth and Ferdinand of Aragon united against this prince, whom both, Pretensions of the French and Spanish monarchs. A. D. 1494.

[z] Giannone, book xix. ch. 4. sect. 2.
[a] Giannone, book xxvi. ch. 2.

though for different reasons, considered as an usurper, and agreed to divide his dominions between them.
A. D. 1501. Frederic, unable to resist the combined monarchs, each of whom was far his superior in power, resigned his sceptre. Louis and Ferdinand, though they had concurred in making the conquest, differed about the division of it; and from allies became enemies. But Gonsalvo de Cordova, partly by the exertion of such military talents as gave him a just title to the appellation of the 'great captain,' which the Spanish historians have bestowed upon him; and partly by such shameless and frequent violations of the most solemn engagements, as leave an indelible stain on his memory; stripped the French of all that they possessed in the Neapolitan dominions, and secured the peaceable possession of them to his master. These, together with his other kingdoms, Ferdinand transmitted to his grandson Charles the fifth, whose right to possess them, if not altogether uncontrovertible, seems at least to be as well founded as that which the kings of France set up in opposition to it[b].

State of the duchy of Milan, and the right of succession to it.

There is nothing in the political constitution, or interior government, of the duchy of Milan, so remarkable as to require a particular explanation. But as the right of succession to that fertile province was the cause or the pretext of almost all the wars carried on in Italy during the reign of Charles the fifth, it is necessary to trace these disputes to their source, and to inquire into the pretensions of the various competitors.

Rise and progress of the disputes concerning this.

During the long and fierce contests excited in Italy by the violence of the guelf and ghibelline factions, the family of Visconti rose to great eminence among their fellow-citizens of Milan. As the Visconti had adhered
A. D. 1354. uniformly to the ghibelline or imperial interest, they, by way of recompense, received, from one emperor,

[b] Droits des rois de France au royaume de Sicile. Mém. de Comin. édit. de Fresnoy, tom. iv. part ii. p. 5.

the dignity of perpetual vicars of the empire in Italy[c]: they were created by another, dukes of Milan; and, A.D. 1395. together with that title, the possession of the city and its territories was bestowed upon them as an hereditary fief[d]. John, king of France, among other expedients for raising money, which the calamities of his reign obliged him to employ, condescended to give one of his daughters in marriage to John Galeazzo Visconti, the first duke of Milan, from whom he had received considerable sums. Valentine Visconti, one of the children of this marriage, married her cousin, Louis, duke of Orleans, the only brother of Charles the sixth. In their marriage contract, which the pope confirmed, it was stipulated that, upon failure of heirs male in the family of Visconti, the duchy of Milan should descend to the posterity of Valentine and the duke of Orleans. That event took place. In the year one thousand four hundred and forty-seven, Philip Maria, the last prince of the ducal family of Visconti, died. Various competitors claimed the succession. Charles, duke of Orleans, pleaded his right to it, founded on the marriage contract of his mother Valentine Visconti. Alfonso, king of Naples, claimed it in consequence of a will made by Philip Maria in his favour. The emperor contended that, upon the extinction of male issue in the family of Visconti, the fief returned to the superior lord, and ought to be reannexed to the empire. The people of Milan, smitten with the love of liberty which in that age prevailed among the Italian states, declared against the dominion of any master, and established a republican form of government.

But during the struggle among so many competitors, the prize for which they contended was seized by one from whom none of them apprehended any danger. Francis Sforza, the natural son of Jacomuzzo Sforza,

[c] Petrarch. Epist. ap. Struv. Corp. i. 625.
[d] Leibnit. Cod. Jur. Gent. Diplom. vol. i. 257.

whom his courage and abilities had elevated from the rank of a peasant to be one of the most eminent and powerful of the Italian 'condottieri,' having succeeded his father in the command of the adventurers who followed his standard, had married a natural daughter of the last duke of Milan. Upon this shadow of a title Francis founded his pretensions to the duchy, which he supported with such talents and valour as placed him, at last, on the ducal throne. The virtues, as well as abilities, with which he governed, inducing his subjects to forget the defects in his title, he transmitted his dominions quietly to his son; from whom they descended to his grandson. He was murdered by his grand uncle Ludovico, surnamed the Moor, who took possession of the duchy; and his right to it was confirmed by the investiture of the emperor Maximilian, in the year one thousand four hundred and ninety-four[e].

Louis the eleventh, who took pleasure in depressing the princes of the blood, and who admired the political abilities of Francis Sforza, would not permit the duke of Orleans to take any step in prosecution of his right to the duchy of Milan. Ludovico the Moor kept up such a close connexion with Charles the eighth, that, during the greater part of his reign, the claim of the family of Orleans continued to lie dormant. But when the crown of France devolved on Louis the twelfth, duke of Orleans, he instantly asserted the rights of his family with the ardour which it was natural to expect, and marched, at the head of a powerful army, to support them. Ludovico Sforza, incapable of contending with such a rival, was stripped of all his dominions in the space of a few days. The king, clad in the ducal robes, entered Milan in triumph; and soon after, Ludovico, having been betrayed by the Swiss in his pay, was sent a prisoner into France, and shut up in the

[e] Ripalm. Hist. Mediol. lib. vi. 654. ap. Struv. Corp. i. 930. Du Mont, Corps. Diplom. tom. iii. p. ii. 333. ibid.

castle of Loches, where he lay unpitied during the remainder of his days. In consequence of one of the singular revolutions which occur so frequently in the history of the Milanese, his son Maximilian Sforza was placed on the ducal throne, of which he kept possession during the reign of Louis the twelfth. But his successor Francis the first was too high-spirited and enterprising tamely to relinquish his title. As soon as he was seated upon the throne, he prepared to invade the Milanese; and his right of succession to it appears, from this detail, to have been more natural and more just than that of any other competitor. A. D. 1512.

It is unnecessary to enter into any detail with respect to the form of government in Genoa, Parma, Modena, and the other inferior states of Italy. Their names, indeed, will often occur in the following history. But the power of these states themselves was so inconsiderable, that their fate depended little upon their own efforts; and the frequent revolutions which they underwent, were brought about rather by the operations of the princes who attacked or defended them, than by any thing peculiar in their internal constitution.

The constitution and government of Spain.

Of the great kingdoms on this side of the Alps, Spain is one of the most considerable; and as it was the hereditary domain of Charles the fifth, as well as the chief source of his power and wealth, a distinct knowledge of its political constitution is of capital importance towards understanding the transactions of his reign.

Conquered by the Vandals,

The Vandals and Goths, who overturned the Roman power in Spain, established a form of government in that country, and introduced customs and laws, perfectly similar to those which were established in the rest of Europe, by the other victorious tribes which acquired settlements there. For some time, society advanced, among the new inhabitants of Spain, by the same steps, and seemed to hold the same course, as in other European nations. To this progress, a sudden A. D. 712.

and by the Moors.

stop was put by the invasion of the Saracens or Moors from Africa. The Goths could not withstand the efforts of their enthusiastic valour, which subdued the greatest part of Spain, with the same impetuous rapidity that distinguishes all the operations of their arms. The conquerors introduced into the country, in which they settled, the mahometan religion, the Arabic language, the manners of the east, together with that taste for the arts, and that love of elegance and splendour, which the caliphs had begun to cultivate among their subjects.

The christians gradually recover dominion in Spain.

Such Gothic nobles as disdained to submit to the Moorish yoke, fled for refuge to the inaccessible mountains of Asturias. There they comforted themselves with enjoying the exercise of the christian religion, and with maintaining the authority of their ancient laws. Being joined by many of the boldest and most warlike among their countrymen, they sallied out upon the adjacent settlements of the Moors in small parties; but venturing only upon short excursions at first, they were satisfied with plunder and revenge, without thinking of conquest. By degrees, their strength increased, their views enlarged, a regular government was established among them, and they began to aim at extending their territories. While they pushed on their attacks with the unremitting ardour, excited by zeal for religion, by the desire of vengeance, and by the hope of rescuing their country from oppression; while they conducted their operations with the courage natural to men who had no other occupation but war, and who were strangers to all the arts which corrupt or enfeeble the mind; the Moors gradually lost many of the advantages to which they had been indebted for their first success. They threw off all dependence on the caliphs[f]; they neglected to preserve a close connexion with their countrymen in Africa; their empire in Spain

[f] Jos. Sim. Assemanni Histor. Ital. Scriptores, vol. iii. p. 135.

was split into many small kingdoms; the arts which they cultivated, together with the luxury to which these gave rise, relaxed, in some measure, the force of their military institutions, and abated the vigour of their warlike spirit. The Moors, however, continued still to be a gallant people, and possessed great resources. According to the magnificent style of the Spanish historians, eight centuries of almost uninterrupted war elapsed, and three thousand seven hundred battles were fought, before the last of the Moorish kingdoms in Spain submitted to the christian arms. 1492.

The union of its various kingdoms.

As the christians made their conquests upon the mahometans at various periods, and under different leaders, each formed the territory which he had wrested from the common enemy, into an independent state. Spain was divided into almost as many separate kingdoms as it contained provinces; in each city of note, a petty monarch established his throne, and assumed all the ensigns of royalty. In a series of years, however, by the usual events of intermarriages, or succession, or conquest, all these inferior principalities were annexed to the more powerful kingdoms of Castile and of Aragon. At length, by the fortunate marriage of Ferdinand and Isabella, the former the hereditary monarch of Aragon, and the latter raised to the throne of Castile by the affection of her subjects, all the Spanish crowns were united, and descended in the same line. 1481.

Their ancient customs and laws reserved amidst all their revolutions;

From this period, the political constitution of Spain began to assume a regular and uniform appearance; the genius of its government may be delineated, and the progress of its laws and manners may be traced, with certainty. Notwithstanding the singular revolution which the invasion of the Moors occasioned in Spain, and the peculiarity of its fate, in being so long subject to the mahometan yoke, the customs introduced by the Vandals and Goths had taken such deep root, and were so thoroughly incorporated with the

frame of its government, that in every province which the christians recovered from the Moors, we find the condition of individuals, as well as the political constitution, nearly the same as in other nations of Europe. Lands were held by the same tenure; justice was dispensed in the same form; the same privileges were claimed by the nobility; and the same power exercised by the cortes, or general assembly of the kingdom. Several circumstances contributed to secure this permanence of the feudal institutions in Spain, notwithstanding the conquest of the Moors, which seemed to have overturned them. Such of the Spaniards as preserved their independence, adhered to their ancient customs, not only from attachment to them, but out of antipathy to the Moors, to whose ideas concerning property and government these customs were totally repugnant. Even among the christians, who submitted to the Moorish conquerors, and consented to become their subjects, ancient customs were not entirely abolished. They were permitted to retain their religion, their laws concerning private property, their forms of administering justice, and their mode of levying taxes. The followers of Mahomet are the only enthusiasts who have united the spirit of toleration with zeal for making proselytes, and who, at the same time that they took arms to propagate the doctrine of their prophet, permitted such as would not embrace it, to adhere to their own tenets, and to practise their own rites. To this peculiarity in the genius of the mahometan religion, as well as to the desire which the Moors had of reconciling the christians to their yoke, it was owing that the ancient manners and laws in Spain survived the violent shock of a conquest, and were permitted to subsist, notwithstanding the introduction of a new religion and a new form of government into that country. It is obvious, from all these particulars, that the christians must have found it extremely easy to reestablish manners and government

which renders their state, in some degree, similar to that of other nations of Europe.

on their ancient foundations, in those provinces of Spain which they wrested successively from the Moors. A considerable part of the people retained such a fondness for the customs, and such a reverence for the laws, of their ancestors, that, wishing to see them completely restored, they were not only willing but eager to resume the former, and to recognise the authority of the latter.

Certain peculiarities in their constitution and laws.

But though the feudal form of government, with all the institutions which characterize it, was thus preserved entire in Castile and Aragon, as well as in all the kingdoms which depended on these crowns, there were certain peculiarities in their political constitutions, which distinguish them from those of any other country in Europe. The royal prerogative, extremely limited in every feudal kingdom, was circumscribed, in Spain, within such narrow bounds, as reduced the power of the sovereign almost to nothing. The privileges of the nobility were great in proportion, and extended so far as to border on absolute independence. The immunities of the cities were likewise greater than in other feudal kingdoms, they possessed considerable influence in the cortes, and they aspired at obtaining more. Such a state of society, in which the political machine was so ill-adjusted, and the several members of the legislature so improperly balanced, produced internal disorders in the kingdoms of Spain, which rose beyond the pitch of turbulence and anarchy usual under the feudal government. The whole tenour of the Spanish history confirms the truth of this observation; and when the mutinous spirit, to which the genius of their policy gave birth and vigour, was no longer restrained and overawed by the immediate dread of the Moorish arms, it broke out into more frequent insurrections against the government of their princes, as well as more outrageous insults on their dignity, than occur in the annals of any other country. These were accompanied at some times with more liberal sentiments concerning

The prerogative more limited, and the immunities of the people more extensive.

the rights of the people, at other times with more elevated notions concerning the privileges of the nobles, than were common in other nations.

Instances of this.

In the principality of Catalonia, which was annexed to the kingdom of Aragon, the impatience of the people to obtain the redress of their grievances having prompted them to take arms against their sovereign John the
A.D. 1462. second, they, by a solemn deed, recalled the oath of allegiance which they had sworn to him, declared him and his posterity to be unworthy of the throne[g], and endeavoured to establish a republican form of government, in order to secure the perpetual enjoyment of that liberty, after which they aspired[h]. Nearly about the same period, the indignation of the Castilian nobility against the weak and flagitious administration of Henry the fourth, having led them to combine against him, they arrogated, as one of the privileges belonging to their order, the right of trying and passing sentence on their sovereign. That the exercise of this power might be as public and solemn, as the pretension to it was bold, they summoned all the nobility of their party
A.D. 1465. to meet at Avila; a spacious theatre was erected in a plain, without the walls of the town; an image representing the king was seated on a throne, clad in royal robes, with a crown on its head, a sceptre in its hand, and the sword of justice by its side. The accusation against the king was read, and the sentence of deposition was pronounced, in presence of a numerous assembly. At the close of the first article of the charge, the archbishop of Toledo advanced, and tore the crown from the head of the image; at the close of the second, the conde de Placentia snatched the sword of justice from its side; at the close of the third, the conde de Benevente wrested the sceptre from its hand; at the

[g] Zurita, Annales de Arag. tom. iv. 113. 115, etc.

[h] Ferrera, Hist. d'Espagne, tom. vii. p. 92. P. Orléans, Révol. d'Espagne, tom. iii. p. 155. L. Marinæus Siculus, de Reb. Hispan. apud Schotti Script. Hispan. fol. 429.

close of the last, don Diego Lopes de Stuniga tumbled it headlong from the throne. At the same instant, don Alfonso, Henry's brother, was proclaimed king of Castile and Leon in his stead [i].

The most daring leaders of faction would not have ventured on these measures, nor have conducted them with such public ceremony, if the sentiments of the people concerning the royal dignity had not been so formed by the laws and policy, to which they were accustomed both in Castile and Catalonia, as prepared them to approve of such extraordinary proceedings, or to acquiesce in them.

The constitution and government of Aragon.

In Aragon the form of government was monarchical, but the genius and maxims of it were purely republican. The kings, who were long elective, retained only the shadow of power; the real exercise of it was in the cortes or parliament of the kingdom. This supreme assembly was composed of four different 'arms' or members: the nobility of the first rank: the equestrian order, or nobility of the second class: the representatives of the cities and towns, whose right to a place in the cortes, if we may give credit to the historians of Aragon, was coeval with the constitution: the ecclesiastical order, composed of the dignitaries of the church, together with the representatives of the inferior clergy [k]. No law could pass in this assembly without the assent of every single member who had a right to vote [l]. Without the permission of the cortes, no tax could be imposed; no war could be declared; no peace could be concluded; no money could be coined; nor could any alteration be made in the current specie [m]. The power of reviewing the proceedings of all inferior courts, the privilege of inspecting every department

[i] Marian. Hist. lib. xxiii. c. 9.

[k] Forma de celebrar Cortes en Aragon por Geron. Martel.

[l] Martel. ibid. p. 2.

[m] Hier. Blanca, Comment. Rer. Aragon. ap. Schot. Script. Hispan. vol. iii. p. 750.

of administration, and the right of redressing all grievances, belonged to the cortes. Nor did those who conceived themselves to be aggrieved, address the cortes in the humble tone of supplicants, and petition for redress; they demanded it as the birthright of freemen, and required the guardians of their liberty to decide with respect to the points which they laid before them [n]. This sovereign court was held, during several centuries, every year; but, in consequence of a regulation introduced about the beginning of the fourteenth century, it was convoked from that period only once in two years. After it was assembled, the king had no right to prorogue or dissolve it without its own consent; and the session continued forty days [o].

Office and jurisdiction of the justiza.

Not satisfied with having erected such formidable barriers against the encroachments of the royal prerogative, nor willing to commit the sole guardianship of their liberties entirely to the vigilance and authority of an assembly, similar to the diets, states-general, and parliaments, in which the other feudal nations have placed so much confidence, the Aragonese had recourse to an institution peculiar to themselves, and elected a 'justiza,' or supreme judge. This magistrate, whose office bore some resemblance to that of the ephori in ancient Sparta, acted as the protector of the people, and the comptroller of the prince. The person of the justiza was sacred; his power and jurisdiction almost unbounded. He was the supreme interpreter of the laws. Not only inferior judges, but the kings themselves, were bound to consult him in every doubtful case, and to receive his responses with implicit deference [p]. An appeal lay to him from the royal judges, as well as from those appointed by the barons within their respective territories. Even when no appeal was

[n] Martel. Forma de celebrar, etc. p. 2.

[o] Hier. Blanca, Comment. p. 763.

[p] Blanca has preserved two responses of the justiza to James the second, who reigned towards the close of the thirteenth century. Blanca, p. 748.

made to him, he could interpose by his own authority, prohibit the ordinary judge to proceed, take immediate cognizance of the cause himself, and remove the party accused to the 'manifestation,' or prison of the state, to which no person had access but by his permission. His power was exerted with no less vigour and effect in superintending the administration of government, than in regulating the course of justice. It was the prerogative of the justiza to inspect the conduct of the king. He had a title to review all the royal proclamations and patents, and to declare whether or not they were agreeable to law, and ought to be carried into execution. He, by his sole authority, could exclude any of the king's ministers from the conduct of affairs, and call them to answer for their maleadministration. He himself was accountable to the cortes only, for the manner in which he discharged the duties of this high office; and performed functions of the greatest importance that could be committed to a subject[q].

The regal power circumscribed within narrow limits.

It is evident, from a bare enumeration of the privileges of the Aragonese cortes, as well as of the rights belonging to the justiza, that a very small portion of power remained in the hands of the king. The Aragonese seem to have been solicitous that their monarchs should know and feel this state of impotence, to which they were reduced. Even in swearing allegiance to their sovereign, an act which ought naturally to be accompanied with professions of submission and respect, they devised an oath, in such a form, as to remind him of his dependence on his subjects. "We," said the justiza to the king, in the name of his high-spirited barons, "who are each of us as good, and who are altogether more powerful than you, promise obedience to your government, if you maintain our rights and liberties; but, if not, not." Conformably to this oath, they established it as a fundamental article in their

[q] Hier. Blanca, Comment. p. 747. 755. See Note xxxi.

constitution, that if the king should violate their rights and privileges, it was lawful for the people to disclaim him as their sovereign, and to elect another, even though a heathen, in his place[r]. The attachment of the Aragonese to this singular constitution of government was extreme, and their respect for it approached to superstitious veneration[s]. In the preamble to one of their laws, they declare, that such was the barrenness of their country, and the poverty of the inhabitants, that, if it were not on account of the liberties by which they were distinguished from other nations, the people would abandon it, and go in quest of a settlement to some more fruitful region[t].

Constitution and government of Castile.

In Castile, there were not such peculiarities in the form of government, as to establish any remarkable distinction between it and that of the other European nations. The executive part of government was committed to the king, but with a prerogative extremely limited. The legislative authority resided in the cortes, which was composed of the nobility, the dignified ecclesiastics, and the representatives of the cities. The assembly of the cortes in Castile was very ancient, and seems to have been almost coeval with the constitution. The members of the three different orders, who had a right of suffrage, met in one place, and deliberated as one collective body; the decisions of which were regulated by the sentiments of the majority. The right of imposing taxes, of enacting laws, and of redressing grievances, belonged to this assembly; and, in order to secure the assent of the king to such statutes and regulations as were deemed salutary or beneficial to the kingdom, it was usual in the cortes to take no step towards granting money, until all business relative to the public welfare was concluded. The representatives of cities seem to have obtained a seat very early in the

[r] Hier. Blanca, Comment. p. 720.
[s] Note xxxii.
[t] Hier. Blanca, Comment. p. 751.

cortes of Castile, and soon acquired such influence and credit, as were very uncommon, at a period when the splendour and preeminence of the nobility had eclipsed or depressed all other orders of men. The number of members from cities bore such a proportion to that of the whole collective body, as rendered them extremely respectable in the cortes[u]. The degree of consideration, which they possessed in the state, may be estimated by one event. Upon the death of John the first, A.D. 1390. a council of regency was appointed to govern the kingdom during the minority of his son. It was composed of an equal number of noblemen, and of deputies, chosen by the cities; the latter were admitted to the same rank, and invested with the same powers, as prelates and grandees of the first order[x]. But though the members of communities in Castile were elevated above the condition wherein they were placed in other kingdoms of Europe; though they had attained to such political importance, that even the proud and jealous spirit of the feudal aristocracy could not exclude them from a considerable share in government; yet the nobles, notwithstanding these acquisitions of the commons, continued to assert the privileges of their order, in opposition to the crown, in a tone extremely high. There was not any body of nobility in Europe more distinguished for independence of spirit, haughtiness of deportment, and bold pretensions, than that of Castile. The history of that monarchy affords the most striking examples of the vigilance with which they observed, and of the vigour with which they opposed, every measure of their kings, that tended to encroach on their jurisdiction, to diminish their dignity, or to abridge their power. Even in their ordinary intercourse with their monarchs, they preserved such a consciousness of their rank, that the nobles of the first order claimed it as a privilege to be covered in the

[u] Note xxxiii. [x] Marian. Hist. lib. xviii. c. 15.

royal presence, and approached their sovereigns rather as equals than as subjects.

The constitutions of the subordinate monarchies, which depended on the crowns of Castile and Aragon, nearly resembled those of the kingdoms to which they were annexed. In all of them, the dignity and independence of the nobles were great; the immunities and power of the cities were considerable.

Various causes of the limited authority of the Spanish monarchs.

An attentive observation of the singular situation of Spain, as well as the various events which occurred there, from the invasion of the Moors to the union of its kingdom under Ferdinand and Isabella, will discover the causes to which all the peculiarities in its political constitution I have pointed out, ought to be ascribed.

As the provinces of Spain were wrested from the mahometans gradually and with difficulty, the nobles who followed the standard of any eminent leader in these wars, conquered not for him alone, but for themselves. They claimed a share in the lands which their valour had won from the enemy, and their prosperity and power increased, in proportion as the territory of the prince extended.

During their perpetual wars with the Moors, the monarchs of the several kingdoms in Spain depended so much on their nobles, that it became necessary to conciliate their good-will by successive grants of new honours and privileges. By the time that any prince could establish his dominion in a conquered province, the greater part of the territory was parcelled out by him among his barons, with such jurisdiction and immunities as raised them almost to sovereign power.

At the same time, the kingdoms erected in so many different corners of Spain, were of inconsiderable extent. The petty monarch was but little elevated above his nobles. They, feeling themselves to be almost his equals, acted as such; and could not look up to the kings of such limited domains with the same reverence

that the sovereigns of the great monarchies in Europe were viewed by their subjects [y].

While these circumstances concurred in exalting the nobility, and in depressing the royal authority, there were other causes which raised the cities in Spain to consideration and power.

As the open country, during the wars with the Moors, was perpetually exposed to the excursions of the enemy, with whom no peace or truce was so permanent as to prove any lasting security, self-preservation obliged persons of all ranks to fix their residence in places of strength. The castles of the barons, which, in other countries, afforded a commodious retreat from the depredations of banditti, or from the transient violence of any interior commotion, were unable to resist an enemy whose operations were conducted with regular and persevering vigour. Cities, in which great numbers united for their mutual defence, were the only places in which people could reside with any prospect of safety. To this was owing the rapid growth of those cities in Spain of which the christians recovered possession. All who fled from the Moorish yoke resorted to them, as to an asylum; and in them, the greater part of those who took the field against the mahometans established their families.

Several of these cities, during a longer or shorter course of years, were the capitals of little states, and enjoyed all the advantages which accelerate the increase of inhabitants in every place that is the seat of government.

From those concurring causes, the number of cities in Spain, at the beginning of the fifteenth century, had become considerable, and they were peopled far beyond the proportion which was common in other parts of Europe, except in Italy and the Low Countries. The Moors had introduced manufactures into those

[y] Note xxxiv.

cities, while under their dominion. The christians, who, by intermixture with them, had learned their arts, continued to cultivate these. Trade, in several of the Spanish towns, appears to have been carried on with vigour; and the spirit of commerce continued to preserve the number of their inhabitants, as the sense of danger had first induced them to crowd together.

As the Spanish cities were populous, many of the inhabitants were of a rank superior to those who resided in towns in other countries of Europe. That cause, which contributed chiefly to their population, affected equally persons of every condition, who flocked thither promiscuously, in order to find shelter there, or in hopes of making a stand against the enemy, with greater advantage than in any other station. The persons elected as their representatives in the cortes by the cities, or promoted to offices of trust and dignity in the government of the community, were often, as will appear from transactions which I shall hereafter relate, of such considerable rank in the kingdom, as reflected lustre on their constituents, and on the stations wherein they were placed.

As it was impossible to carry on a continual war against the Moors, without some other military force than that which the barons were obliged to bring into the field, in consequence of the feudal tenures, it became necessary to have some troops, particularly a body of light cavalry, in constant pay. It was one of the privileges of the nobles, that their lands were exempt from the burthen of taxes. The charge of supporting the troops requisite for the public safety fell wholly upon the cities; and their kings, being obliged frequently to apply to them for aid, found it necessary to gain their favour by concessions, which not only extended their immunities, but added to their wealth and power.

When the influence of all these circumstances, peculiar to Spain, is added to the general and common

causes, which contributed to aggrandize cities in other countries of Europe, this will fully account for the extensive privileges which they acquired, as well as for the extraordinary consideration to which they attained, in all the Spanish kingdoms[z].

Measures of different princes, in order to extend their power;

By these exorbitant privileges of the nobility, and this unusual power of the cities in Spain, the royal prerogative was hemmed in on every side, and reduced within very narrow bounds. Sensible of this, and impatient of such restraint, several monarchs endeavoured, at various junctures, and by different means, to enlarge their own jurisdiction. Their power, however, or their abilities, were so unequal to the undertaking, that their efforts were attended with little success. But when Ferdinand and Isabella found themselves at the head of the united kingdoms of Spain, and delivered from the danger and interruption of domestic wars, they were not only in a condition to resume, but were able to prosecute with advantage, the schemes of extending the prerogative, which their ancestors had attempted in vain. Ferdinand's profound sagacity in concerting his measures, his persevering industry in conducting them, and his uncommon address in carrying them into execution, fitted him admirably for an undertaking which required all these talents.

particularly of Ferdinand and Isabella.

Ferdinand's different schemes for abridging the privileges and power of the nobility;

As the overgrown power and high pretensions of the nobility were what the monarchs of Spain felt most sensibly, and bore with the greatest impatience, the great object of Ferdinand's policy was to reduce these within more moderate bounds. Under various pretexts, sometimes by violence, more frequently in consequence of decrees obtained in the courts of law, he wrested from the barons a great part of the lands which had been granted to them by the inconsiderate bounty of former monarchs, particularly during the feeble and profuse reign of his predecessor, Henry the fourth.

[z] Note xxxv.

He did not give the entire conduct of affairs to persons of noble birth, who were accustomed to occupy every department of importance in peace or in war, as if it had been a privilege peculiar to their order, to be employed as the sole counsellors and ministers of the crown. He often transacted business of great consequence, without their intervention, and bestowed many offices of power and trust on new men, devoted to his interest[a]. He introduced a degree of state and dignity into his court, which, being little known in Spain, while it remained split into many small kingdoms, taught the nobles to approach their sovereign with more ceremony, and gradually rendered him the object of greater deference and respect.

particularly by annexing the grand-masterships of the three orders of the crown;

The annexing the masterships of the three military orders of St. Jago, Calatrava, and Alcantara, to the crown, was another expedient, by which Ferdinand greatly augmented the revenue and power of the kings of Spain. These orders were instituted in imitation of those of the knights Templars and of St. John of Jerusalem, on purpose to wage perpetual war with the mahometans, and to protect the pilgrims who visited Compostella, or other places of eminent sanctity in Spain. The zeal and superstition of the ages in which they were founded, prompted persons of every rank to bestow such liberal donations on those holy warriors, that, in a short time, they engrossed a considerable share in the property and wealth of the kingdom. The masterships of these orders came to be stations of the greatest power and opulence to which a Spanish nobleman could be advanced. These high dignities were in the disposal of the knights of the order, and placed the persons on whom they conferred them almost on a level with their sovereign[b]. Ferdinand, unwilling that the nobility, whom he considered as already too formidable, should derive such additional credit and influence from

[a] Zurita, Annales de Arag. tom. vi. p. 22. [b] Note xxxvi.

possessing the government of these wealthy fraternities, was solicitous to wrest it out of their hands, and to vest it in the crown. His measures for accomplishing this, were wisely planned, and executed with vigour[c]. By address, by promises, and by threats, he prevailed on the knights of each order to place Isabella and him at the head of it. Innocent the eighth and Alexander the sixth gave this election the sanction of papal authority[d]; and subsequent pontiffs rendered the annexation of these masterships to the crown perpetual. A.D. 1476, and 1493.

While Ferdinand, by this measure, diminished the power and influence of the nobility, and added new lustre or authority to the crown, he was taking other important steps with a view to the same object. The sovereign jurisdiction, which the feudal barons exercised within their own territories, was the pride and distinction of their order. To have invaded openly a privilege which they prized so highly, and in defence of which they would have run so eagerly to arms, was a measure too daring for a prince of Ferdinand's cautious temper. He took advantage, however, of an opportunity which the state of his kingdoms and the spirit of his people presented him, in order to undermine what he durst not assault. The incessant depredations of the Moors, the want of discipline among the troops which were employed to oppose them, the frequent civil wars between the crown and the nobility, as well as the undiscerning rage with which the barons carried on their private wars with each other, filled all the provinces of Spain with disorder. Rapine, outrage, and murder, became so common, as not only to interrupt commerce, but, in a great measure, to suspend all intercourse between one place and another. That security and protection, which men expect from entering and by circumscribing the jurisdiction of the nobility.

[c] Marian. Hist. lib. xxv. c. 5.

[d] Zurita, Annales, tom. v. p. 22. Ælii Anton. Nebrissensis rerum a Ferdinand. et Elizab. gestarum decades ii. apud Schot. script. Hispan. i. 860.

into civil society, ceased in a great degree. Internal order and police, while the feudal institutions remained in vigour, were so little objects of attention, and the administration of justice was so extremely feeble, that it would have been vain to have expected relief from the established laws or the ordinary judges. But the evil became so intolerable, and the inhabitants of cities, who were the chief sufferers, grew so impatient of this anarchy, that self-preservation forced them to have re-
1260. course to an extraordinary remedy. About the middle of the thirteenth century, the cities in the kingdom of Aragon, and, after their example, those in Castile, formed themselves into an association, distinguished by the name of the 'holy brotherhood.' They exacted a certain contribution from each of the associated towns; they levied a considerable body of troops, in order to protect travellers, and to pursue criminals; they appointed judges, who opened their courts in various parts of the kingdom. Whoever was guilty of murder, robbery, or of any act that violated the public peace, and was seized by the troops of the 'brotherhood,' was carried before judges of their nomination, who, without paying any regard to the exclusive and sovereign jurisdiction, which the lord of the place might claim, tried and condemned the criminals. By the establishment of this fraternity, the prompt and impartial administration of justice was restored; and together with it, internal tranquillity and order began to return. The nobles alone murmured at this salutary institution. They complained of it as an encroachment on one of their most valuable privileges. They remonstrated against it in an high tone; and, on some occasions, refused to grant any aid to the crown, unless it were abolished. Ferdinand, however, was sensible not only of the good effects of the holy brotherhood with respect to the police of his kingdoms, but perceived its tendency to abridge, and at length to annihilate, the territorial jurisdiction of the nobility. He counte-

nanced it on every occasion. He supported it with the whole force of royal authority; and, besides the expedients employed by him in common with the other monarchs of Europe, he availed himself of this institution, which was peculiar to his kingdom, in order to limit and abolish that independent jurisdiction of the nobility, which was no less inconsistent with the authority of the prince, than with the order of society[e].

Notwithstanding all these, the government of Spain still extremely free.

But though Ferdinand, by these measures, considerably enlarged the boundaries of prerogative, and acquired a degree of influence and power far beyond what any of his predecessors had enjoyed, yet the limitations of the royal authority, as well as the barriers against its encroachments, continued to be many and strong. The spirit of liberty was vigorous among the people of Spain; the spirit of independence was high among the nobility; and though the love of glory, peculiar to the Spaniards in every period of their history, prompted them to support Ferdinand with zeal in his foreign operations, and to afford him such aid as enabled him not only to undertake but to execute great enterprises; he reigned over his subjects with a jurisdiction less extensive than that of any of the great monarchs in Europe. It will appear from many passages in the following history, that, during a considerable part of the reign of his successor, Charles the fifth, the prerogative of the Spanish crown was equally circumscribed.

Constitution and government of France.

The ancient government and laws in France so nearly resemble those of the other feudal kingdoms that such a detail with respect to them, as was necessary, in order to convey some idea of the nature and effects of the peculiar institutions which took place in Spain, would be superfluous. In the view which I have exhibited of the means by which the French monarchs acquired such a full command of the national force of their king-

[e] Note xxxvii.

dom, as enabled them to engage in extensive schemes of foreign operation, I have already pointed out the great steps by which they advanced towards a more ample possession of political power, and a more uncontrolled exercise of their royal prerogative. All that now remains is to take notice of such particulars in the constitution of France, as serve either to distinguish it from that of other countries, or tend to throw any light on the transactions of that period, to which the following History extends.

Power of the general assemblies under the first race of kings:

Under the French monarchs of the first race, the royal prerogative was very inconsiderable. The general assemblies of the nation, which met annually at stated seasons, extended their authority to every department of government. The power of electing kings, of enacting laws, of redressing grievances, of conferring donations on the prince, of passing judgment in the last resort, with respect to every person and to every cause, resided in this great convention of the nation.

under the second:

Under the second race of kings, notwithstanding the power and splendour which the conquests of Charlemagne added to the crown, the general assemblies of the nation continued to possess extensive authority. The right of determining which of the royal family should be placed on the throne, was vested in them. The princes, elevated to that dignity by their suffrage, were accustomed regularly to call and to consult them with respect to every affair of importance to the state, and without their consent no law was passed, and no new tax was levied.

under the third.

But, by the time that Hugh Capet, the father of the third race of kings, took possession of the throne of France, such changes had happened in the political state of the kingdom, as considerably affected the power and jurisdiction of the general assembly of the nation. The royal authority, in the hands of the degenerate posterity of Charlemagne, had dwindled into insignificance and contempt. Every considerable proprietor of

land had formed his territory into a barony, almost independent of the sovereign. The dukes or governors of provinces, the counts or governors of towns and small districts, and the great officers of the crown, had rendered these dignities, which originally were granted only during pleasure or for life, hereditary in their families. Each of these had usurped all the rights which hitherto had been deemed the distinctions of royalty, particularly the privileges of dispensing justice within their own domains, of coining money, and of waging war. Every district was governed by local customs, acknowledged a distinct lord, and pursued a separate interest. The formality of doing homage to their sovereign, was almost the only act of subjection which those haughty barons would perform, and that bound them no farther than they were willing to acknowledge its obligation[f].

The power of the general assembly less considerable and extensive.

In a kingdom broken into so many independent baronies, hardly any common principle of union remained; and the general assembly, in its deliberations, could scarcely consider the nation as forming one body, or establish common regulations to be of equal force in every part. Within the immediate domains of the crown, the king might publish laws, and they were obeyed, because there he was acknowledged as the only lord. But if he had aimed at rendering these laws general, that would have alarmed the barons as an encroachment upon the independence of their jurisdiction. The barons, when met in the great national convention, avoided, with no less care, the enacting of general laws to be observed in every part of the kingdom, because the execution of them must have been vested in the king, and would have enlarged that paramount power, which was the object of their jealousy. Thus, under the descendants of Hugh Capet, the states-general (for that was the name by which the supreme assembly of the French nation came then to be distinguished) lost

[f] Note xxxviii.

their legislative authority, or at least entirely relinquished the exercise of it. From that period, the jurisdiction of the states-general extended no farther than to the imposition of new taxes, the determination of questions with respect to the right of succession to the crown, the settling of the regency when the preceding monarch had not fixed it by his will, and the presenting remonstrances enumerating the grievances of which the nation wished to obtain redress.

As, during several centuries, the monarchs of Europe seldom demanded extraordinary subsidies of their subjects, and the other events, which required the interposition of the states, rarely occurred, their meetings in France were not frequent. They were summoned occasionally by their kings, when compelled by their wants or by their fears to have recourse to the great convention of their people; but they did not, like the diet in Germany, the cortes in Spain, or the parliament in England, form an essential member of the constitution, the regular exertion of whose powers was requisite to give vigour and order to government.

The crown begins to acquire legislative authority,

When the states of France ceased to exercise legislative authority, the kings began to assume it. They ventured at first on acts of legislation with great reserve, and after taking every precaution that could prevent their subjects from being alarmed at the exercise of a new power. They did not at once issue their ordinances in a tone of authority and command. They treated with their subjects; they pointed out what was best; and allured them to comply with it. By degrees, however, as the prerogative of the crown extended, and as the supreme jurisdiction of the royal courts came to be established, the kings of France assumed more openly the style and authority of lawgivers; and, before the beginning of the fifteenth century, the complete legislative power was vested in the crown[g].

[g] Note xxxix.

and the power of levying taxes.

Having secured this important acquisition, the steps which led to the right of imposing taxes were rendered few and easy. The people, accustomed to see their sovereigns issue ordinances, by their sole authority, which regulated points of the greatest consequence with respect to the property of their subjects, were not alarmed when they were required, by the royal edicts, to contribute certain sums towards supplying the exigencies of government, and carrying forward the measures of the nation. When Charles the seventh, and Louis the eleventh, first ventured to exercise this new power, in the manner which I have already described, the gradual increase of the royal authority had so imperceptibly prepared the minds of the people of France for this innovation, that it excited no commotion in the kingdom, and seems scarcely to have given rise to any murmur or complaint.

Government of France becomes purely monarchical.

When the kings of France had thus engrossed every power which can be exerted in government; when the right of making laws, of levying money, of keeping an army of mercenaries in constant pay, of declaring war, and of concluding peace, centred in the crown, the constitution of the kingdom, which, under the first race of kings, was nearly democratical; which, under the second race, became an aristocracy; terminated, under the third race, in a pure monarchy. Every thing that tended to preserve the appearance, or revive the memory, of the ancient mixed government, seems from that period to have been industriously avoided. During the long and active reign of Francis the first, the variety as well as extent of whose operations obliged him to lay many heavy impositions on his subjects, the states-general of France were not once assembled, nor were the people once allowed to exert the power of taxing themselves, which, according to the original ideas of feudal government, was a right essential to every freeman.

Two things, however, remained, which moderated

The exercise of prerogative restrained by the privileges of the nobility;

the exercise of the regal prerogative, and restrained it within such bounds as preserved the constitution of France from degenerating into mere despotism. The rights and privileges claimed by the nobility, must be considered as one barrier against the absolute dominion of the crown. Though the nobles of France had lost that political power which was vested in their order as a body, they still retained the personal rights and preeminence which they derived from their rank. They preserved a consciousness of elevation above other classes of citizens; an exemption from burthens to which persons of inferior condition were subject; a contempt of the occupations in which they were engaged; the privilege of assuming ensigns that indicated their own dignity; a right to be treated with a certain degree of deference during peace; and a claim to various distinctions when in the field. Many of these pretensions were not founded on the words of statutes, or derived from positive laws; they were defined and ascertained by the maxims of honour, a title more delicate, but no less sacred. These rights, established and protected by a principle equally vigilant in guarding, and intrepid in defending them, are to the sovereign himself objects of respect and veneration. Wherever they stand in its way, the royal prerogative is bounded. The violence of a despot may exterminate such an order of men; but as long as it subsists, and its ideas of personal distinction remain entire, the power of the prince has limits[h].

As in France the body of nobility was very numerous, and the individuals of which it was composed retained an high sense of their own preeminence, to this we may ascribe, in a great measure, the mode of exercising the royal prerogative which peculiarly distinguishes the government of that kingdom. An inter-

[h] De l'Esprit des Loix, liv. ii. c. 4. Dr. Ferguson's Essay on the Hist. of Civil Society, part. i. sect. 10.

mediate order was placed between the monarch and his other subjects, and in every act of authority it became necessary to attend to its privileges, and not only to guard against any real violation of them, but to avoid any suspicion of supposing it to be possible that they might be violated. Thus a species of government was established in France, unknown in the ancient world, that of a monarchy, in which the power of the sovereign, though unconfined by any legal or constitutional restraint, has certain bounds set to it by the ideas which one class of his subjects entertain concerning their own dignity.

and by the jurisdiction of the parliaments, particularly that of Paris.

The jurisdiction of the parliaments in France, particularly that of Paris, was the other barrier which served to confine the exercise of the royal prerogative within certain limits. The parliament of Paris was originally the court of the kings of France, to which they committed the supreme administration of justice within their own domains, as well as the power of deciding with respect to all cases brought before it by appeals from the courts of the barons. When, in consequence of events and regulations which have been mentioned formerly, the time and place of its meeting were fixed; when not only the form of its procedure, but the principles on which it decided, were rendered regular and consistent; when every cause of importance was finally determined there; and when the people became accustomed to resort thither as to the supreme temple of justice; the parliament of Paris rose to high estimation in the kingdom, its members acquired dignity, and its decrees were submitted to with deference. Nor was this the only source of the power and influence which the parliament obtained. The kings of France, when they first began to assume the legislative power, in order to reconcile the minds of their people to this new exertion of prerogative, produced their edicts and ordinances in the parliament of Paris, that they might be approved of and registered there, before they were published

and declared to be of authority in the kingdom. During the intervals between the meetings of the states-general of the kingdom, or during those reigns in which the states-general were not assembled, the monarchs of France were accustomed to consult the parliament of Paris with respect to the most arduous affairs of government, and frequently regulated their conduct by its advice, in declaring war, in concluding peace, and in other transactions of public concern. Thus there was erected in the kingdom a tribunal, which became the great depository of the laws, and, by the uniform tenour of its decrees, established principles of justice and forms of proceeding which were considered as so sacred, that even the sovereign power of the monarch durst not venture to disregard or to violate them. The members of this illustrious body, though they neither possess legislative authority, nor can be considered as the representatives of the people, have availed themselves of the reputation and influence which they had acquired among their countrymen, in order to make a stand, to the utmost of their ability, against every unprecedented and exorbitant exertion of the prerogative. In every period of the French history, they have merited the praise of being the virtuous but feeble guardians of the rights and privileges of the nation [i].

Constitution and government of the German empire.

After taking this view of the political state of France, I proceed to consider that of the German empire, from which Charles the fifth derived his title of highest dignity. In explaining the constitution of this great and complex body at the beginning of the sixteenth century, I shall avoid entering into such a detail as would involve my readers in that inextricable labyrinth, which is formed by the multiplicity of its tribunals, the number of its members, their interfering rights, and by the endless discussions or refinements of the public lawyers of Germany, with respect to all these.

[i] Note xl.

The empire of Charlemagne was a structure erected in so short a time, that it could not be permanent. Under his immediate successor it began to totter; and soon after fell to pieces. The crown of Germany was separated from that of France, and the descendants of Charlemagne established two great monarchies, so situated as to give rise to a perpetual rivalship and enmity between them. But the princes of the race of Charlemagne who were placed on the imperial throne, were not altogether so degenerate, as those of the same family who reigned in France. In the hands of the former the royal authority retained some vigour, and the nobles of Germany, though possessed of extensive privileges as well as ample territories, did not so early attain independence. The great offices of the crown continued to be at the disposal of the sovereign, and, during a long period, fiefs remained in their original state, without becoming hereditary and perpetual in the families of the persons to whom they had been granted.

Its state under Charlemagne and his descendants.

At length the German branch of the family of Charlemagne became extinct, and his feeble descendants who reigned in France had sunk into such contempt, that the Germans, without looking towards them, exercised the right inherent in a free people; and, in a general assembly of the nation, elected Conrad, count of Franconia, emperor. After him Henry of Saxony, and his descendants, the three Othos, were placed in succession on the imperial throne, by the suffrages of their countrymen. The extensive territories of the Saxon emperors, their eminent abilities and enterprising genius, not only added new vigour to the imperial dignity, but raised it to higher power and preeminence. Otho the great marched at the head of a numerous army into Italy, and, after the example of Charlemagne, gave law to that country. Every power there recognised his authority. He created popes, and deposed them, by his sovereign mandate. He an-

Other families are raised to the imperial dignity.

A.D. 911.

A.D. 952.

nexed the kingdom of Italy to the German empire. Elated with his success, he assumed the title of Cæsar Augustus[k]. A prince born in the heart of Germany pretended to be the successor of the emperors of ancient Rome, and claimed a right to the same power and prerogative.

The German nobility acquire independent and sovereign authority.

But while the emperors, by means of these new titles and new dominions, gradually acquired additional authority and splendour, the nobility of Germany had gone on at the same time extending their privileges and jurisdiction. The situation of affairs was favourable to their attempts. The vigour which Charlemagne had given to government quickly relaxed. The incapacity of some of his successors was such, as would have encouraged vassals less enterprising than the nobles of that age to have claimed new rights, and to have assumed new powers. The civil wars in which other emperors were engaged, obliged them to pay perpetual court to their subjects, on whose support they depended, and not only to connive at their usurpations, but to permit and even to authorize them. Fiefs gradually became hereditary. They were transmitted not only in the direct, but also in the collateral line. The investiture of them was demanded not only by male but by female heirs. Every baron began to exercise sovereign jurisdiction within his own domains; and the dukes and counts of Germany took wide steps towards rendering their territories distinct and independent states[l]. The Saxon emperors observed their progress, and were aware of its tendency. But as they could not hope to humble vassals already grown too potent, unless they had turned their whole force as well as attention to that enterprise, and as they were extremely intent on their expeditions into Italy, which they could not undertake without the concurrence of their nobles,

The German ecclesiastics raised to the same power.

[k] Annalista Saxo, etc. ap. Struv. Corp. vol. i. p. 246.

[l] Pfeffel. Abrégé, etc. p. 120. 152. Lib. Feudor. tit. i.

they were solicitous not to alarm them by any direct attack on their privileges and jurisdictions. They aimed, however, at undermining their power. With this view, they inconsiderately bestowed additional territories, and accumulated new honours on the clergy, in hopes that this order might serve as a counterpoise to that of the nobility in any future struggle[m].

The fatal effects of aggrandizing the clergy. A. D. 1024.

The unhappy effects of this fatal errour in policy were quickly felt. Under the emperors of the Franconian and Swabian lines, whom the Germans, by their voluntary election, placed on the imperial throne, a new face of things appeared, and a scene was exhibited in Germany, which astonished all christendom at that time, and in the present age appears almost incredible. The popes, hitherto, depended on the emperors, and, indebted for power as well as dignity to their beneficence and protection, began to claim a superior jurisdiction; and, in virtue of authority which they pretended to derive from heaven, tried, condemned, excommunicated, and deposed, their former masters. Nor is this to be considered merely as a frantic sally of passion in a pontiff intoxicated with high ideas concerning the extent of priestly domination, and the plenitude of papal authority. Gregory the seventh was able as well as daring. His presumption and violence were accompanied with political discernment and sagacity. He had observed that the princes and nobles of Germany had acquired such considerable territories, and such extensive jurisdiction, as rendered them not only formidable to the emperors, but disposed them to favour any attempt to circumscribe their power. He foresaw that the ecclesiastics of Germany, raised almost to a level with its princes, were ready to support any person who would stand forth as the protector of their privileges and independence. With both of these Gregory negotiated, and had secured many devoted ad-

[m] Pfeffel. Abrégé, etc. p. 154.

herents among them, before he ventured to enter the lists against the head of the empire.

The contests between the popes and emperors, and the consequences of these.

He began his rupture with Henry the fourth upon a pretext that was popular and plausible. He complained of the venality and corruption with which the emperor had granted the investiture of benefices to ecclesiastics. He contended that this right belonged to him as the head of the church; he required Henry to confine himself within the bounds of his civil jurisdiction, and to abstain for the future from such sacrilegious encroachments on the spiritual dominion. All the censures of the church were denounced against Henry, because he refused to relinquish those powers which his predecessors had uniformly exercised. The most considerable of the German princes and ecclesiastics were excited to take arms against him. His mother, his wife, his sons, were wrought upon to disregard all the ties of blood as well as of duty, and to join the party of his enemies [n]. Such were the successful arts with which the court of Rome inflamed the superstitious zeal, and conducted the factious spirit, of the Germans and Italians, that an emperor, distinguished not only for many virtues, but possessed of considerable talents, was at length obliged to appear as a supplicant at the gate of the castle in which the pope resided, and to stand there three days barefooted, in the depth of winter, imploring a pardon, which at length he obtained with difficulty [o].

A.D. 1077.

This act of humiliation degraded the imperial dignity. Nor was the depression momentary only. The contest between Gregory and Henry gave rise to the two great factions of the guelfs and ghibellines; the former of which supporting the pretensions of the popes, and the latter defending the rights of the emperor, kept Germany and Italy in perpetual agitation

[n] Annal. German. ap. Struv. i. p. 325.
[o] Note xli.

during three centuries. A regular system for humbling the emperors and circumscribing their power was formed, and adhered to uniformly throughout that period. The popes, the free states in Italy, the nobility and ecclesiastics of Germany, were all interested in its success; and notwithstanding the return of some short intervals of vigour, under the administration of a few able emperors, the imperial authority continued to decline. During the anarchy of the long interregnum subsequent to the death of William of Holland, it dwindled down almost to nothing. Rodulph of Hapsburg, the founder of the house of Austria, and who first opened the way to its future grandeur, was at length elected emperor, not that he might reestablish and extend the imperial authority, but because his territories and influence were so inconsiderable as to excite no jealousy in the German princes, who were willing to preserve the forms of a constitution, the power and vigour of which they had destroyed. Several of his successors were placed on the imperial throne from the same motive; and almost every remaining prerogative was wrested out of the hands of feeble princes unable to exercise or to defend them.

The imperial authority gradually declines.

A.D. 1256.

A.D. 1273.

During this period of turbulence and confusion, the constitution of the Germanic body underwent a total change. The ancient names of courts and magistrates, together with the original forms and appearance of policy, were preserved; but such new privileges and jurisdiction were assumed, and so many various rights established, that the same species of government no longer subsisted. The princes, the great nobility, the dignified ecclesiastics, the free cities, had taken advantage of the interregnum, which I have mentioned, to establish or to extend their usurpations. They claimed and exercised the right of governing their respective territories with full sovereignty. They acknowledged no superior with respect to any point relative to the interior administration and police of their

A total change in the political constitution of the empire.

domains. They enacted laws, imposed taxes, coined money, declared war, concluded peace, and exerted every prerogative peculiar to independent states. The ideas of order and political union, which had originally formed the various provinces of Germany into one body, were almost entirely lost; and the society must have dissolved, if the forms of feudal subordination had not preserved such an appearance of connexion or dependence among the various members of the community, as preserved it from falling to pieces.

Expedients for putting an end to this state of anarchy;

This bond of union, however, was extremely feeble; and hardly any principle remained in the German constitution, of sufficient force to maintain public order, or even to ascertain personal security. From the accession of Rodulph of Hapsburg to the reign of Maximilian, the immediate predecessor of Charles the fifth, the empire felt every calamity which a state must endure, when the authority of government is so much relaxed as to have lost its proper degree of vigour. The causes of dissension, among that vast number of members which composed the Germanic body, were infinite and unavoidable. These gave rise to perpetual private wars, which were carried on with all the violence that usually accompanies resentment, when unrestrained by superior authority. Rapine, outrage, exactions, became universal. Commerce was interrupted; industry suspended; and every part of Germany resembled a country which an enemy had plundered and left desolate[p]. The variety of expedients employed with a view to restore order and tranquillity, prove that the grievances occasioned by this state of anarchy had grown intolerable. Arbiters were appointed to terminate the differences among the several states. The cities united in a league, the object of which was to check the rapine and extortions of the nobility.

[p] See above, page 39, and note xxi. Datt. de pace publica imper. p. 25, no. 53. p. 28, no. 26. p. 35, no. 11.

The nobility formed confederacies, on purpose to maintain tranquillity among their own order. Germany was divided into several circles, in each of which a provincial and partial jurisdiction was established, to supply the place of a public and common tribunal[q].

particularly by the institution of the imperial chamber.

But all these remedies were so ineffectual, that they served only to demonstrate the violence of that anarchy which prevailed, and the insufficiency of the means employed to correct it. At length Maximilian reestablished public order in the empire, by instituting the 'imperial chamber,' a tribunal composed of judges named partly by the emperor, partly by the several states, and vested with authority to decide finally concerning all differences among the members of the Germanic body. A few years after, by giving a new form to the 'aulic council,' which takes cognizance of all feudal causes, and such as belong to the emperor's immediate jurisdiction, he restored some degree of vigour to the imperial authority.

A. D. 1495.

A. D. 1512.

At the beginning of the sixteenth century, the empire an association of sovereign states.

But notwithstanding the salutary effects of these regulations and improvements, the political constitution of the German empire, at the commencement of the period of which I propose to write the history, was of a species so peculiar, as not to resemble perfectly any form of government known either in the ancient or modern world. It was a complex body, formed by the association of several states, each of which possessed sovereign and independent jurisdiction, within its own territories. Of all the members which composed this united body the emperor was the head. In his name, all decrees and regulations, with respect to points of common concern, were issued; and to him the power of carrying them into execution was committed. But this appearance of monarchical power in the emperor was more than counterbalanced by the influence of the princes and states of the empire in every act of admi-

[q] Datt. passim. Struv. Corp. Hist. i. 510, etc.

nistration. No law extending to the whole body could pass, no resolution that affected the general interest could be taken, without the approbation of the diet of the empire. In this assembly, every sovereign prince and state of the Germanic body had a right to be present, to deliberate, and to vote. The decrees or 'recesses' of the diet were the laws of the empire, which the emperor was bound to ratify and enforce.

Peculiarities in the nature of this association.

Under this aspect, the constitution of the empire appears a regular confederacy, similar to the Achæan league in ancient Greece, or to that of the United Provinces and of the Swiss cantons in modern times. But if viewed in another light, striking peculiarities in its political state present themselves. The Germanic body was not formed by the union of members altogether distinct and independent. All the princes and states, joined in this association, were originally subject to the emperors, and acknowledged them as sovereigns. Besides this, they originally held their lands as imperial fiefs, and, in consequence of this tenure, owed the emperor all those services which feudal vassals are bound to perform to their liege lord. But though this political subjection was entirely at an end, and the influence of the feudal relation much diminished, the ancient forms and institutions, introduced while the emperors governed Germany with authority not inferior to that which the other monarchs of Europe possessed, still remained. Thus an opposition was established between the genius of the government, and the forms of administration in the German empire. The former considered the emperor only as the head of a confederacy, the members of which, by their voluntary choice, have raised him to that dignity; the latter seemed to imply, that he is really invested with sovereign power. By this circumstance, such principles of hostility and discord were interwoven into the frame of the Germanic body, as affected each of its members, rendering their interior union incomplete, and their

The defects in the constitution of the empire;

external efforts feeble and irregular. The pernicious influence of this defect inherent in the constitution of the empire is so considerable, that, without attending to it, we cannot fully comprehend many transactions in the reign of Charles the fifth, or form just ideas concerning the genius of the German government.

arising from the limited power of the emperors;

The emperors of Germany, at the beginning of the sixteenth century, were distinguished by the most pompous titles, and by such ensigns of dignity, as intimated their authority to be superior to that of all other monarchs. The greatest princes of the empire attended, and served them, on some occasions, as the officers of their household. They exercised prerogatives which no other sovereign ever claimed. They retained pretensions to all the extensive powers which their predecessors had enjoyed in any former age. But, at the same time, instead of possessing that ample domain, which had belonged to the ancient emperors of Germany, and which stretched from Basil to Cologne, along both banks of the Rhine[r], they were stripped of all territorial property, and had not a single city, a single castle, a single foot of land, that belonged to them as heads of the empire. As their domain was alienated, their stated revenues were reduced almost to nothing; and the extraordinary aids, which on a few occasions they obtained, were granted sparingly and paid with reluctance. The princes and states of the empire, though they seemed to recognise the imperial authority, were subjects only in name, each of them possessing a complete municipal jurisdiction within the precincts of his own territories.

from the nature of their titles and pretensions;

From this ill-compacted frame of government effects that were unavoidable resulted. The emperors, dazzled with the splendour of their titles and the external signs of vast authority, were apt to imagine themselves to be the real sovereigns of Germany, and were led to

[r] Pfeffel. Abrégé, etc. p. 241.

aim continually at recovering the exercise of those powers which the forms of the constitution seemed to vest in them, and which their predecessors, Charlemagne and the Othos, had actually enjoyed. The princes and states, aware of the nature as well as extent of these pretensions, were perpetually on their guard, in order to watch all the motions of the imperial court, and to circumscribe its power within limits still more narrow. The emperors, in support of their claims, appealed to ancient forms and institutions, which the states held to be obsolete. The states founded their rights on recent practice and modern privileges, which the emperors considered as usurpations.

from the manner in which they were elected;

This jealousy of the imperial authority, together with the opposition between it and the rights of the states, increased considerably from the time that the emperors were elected, not by the collective body of German nobles, but by a few princes of chief dignity. During a long period, all the members of the Germanic body had a right to assemble, and to make choice of the person whom they appointed to be their head. But amidst the violence and anarchy which prevailed for several centuries in the empire, seven princes who possessed the most extensive territories, and who had obtained an hereditary title to the great offices of the state, acquired the exclusive privilege of nominating the emperor. This right was confirmed to them by the 'golden bull;' the mode of exercising it was ascertained, and they were dignified with the appellation of 'electors.' The nobility and free cities being thus stripped of a privilege which they had once enjoyed, were less connected with a prince towards whose elevation they had not contributed by their suffrages, and came to be more apprehensive of his authority. The electors, by their extensive power, and the distinguishing privileges which they possessed, became formidable to the emperors, with whom they were placed almost on a level in several acts of juris-

diction. Thus the introduction of the electoral college into the empire, and the authority which it acquired, instead of diminishing, contributed to strengthen, the principles of hostility and discord in the Germanic constitution.

from the different forms of government established in the states which composed the Germanic body;

These were farther augmented by the various and repugnant forms of civil policy in the several states which composed the Germanic body. It is no easy matter to render the union of independent states perfect and entire, even when the genius and forms of their respective governments happen to be altogether similar. But in the German empire, which was a confederacy of princes, of ecclesiastics, and of free cities, it was impossible that they could incorporate thoroughly. The free cities were small republics, in which the maxims and spirit peculiar to that species of government prevailed. The princes and nobles to whom supreme jurisdiction belonged, possessed a sort of monarchical power within their own territories, and the forms of their interior administration nearly resembled those of the great feudal kingdoms. The interests, the ideas, the objects, of states so differently constituted, cannot be the same. Nor could their common deliberations be carried on with the same spirit, while the love of liberty, and attention to commerce, were the reigning principles in the cities; while the desire of power, and ardour for military glory, were the governing passions of the princes and nobility.

from the opposition between the secular and ecclesiastical members;

The secular and ecclesiastical members of the empire were as little fitted for union as the free cities and the nobility. Considerable territories had been granted to several of the German bishoprics and abbeys, and some of the highest offices in the empire, having been annexed to them inalienably, were held by the ecclesiastics raised to these dignities. The younger sons of noblemen of the second order, who had devoted themselves to the church, were commonly promoted to these stations of eminence and power; and it was no small

mortification to the princes and great nobility, to see persons raised from an inferior rank to the same level with themselves, or even exalted to superior dignity. The education of these churchmen, the genius of their profession, and their connexion with the court of Rome, rendered their character as well as their interest different from those of the other members of the Germanic body, with whom they were called to act in concert. Thus another source of jealousy and variance was opened, which ought not to be overlooked when we are searching into the nature of the German constitution.

from the unequal distribution of wealth and power among the members.

To all these causes of dissension may be added one more, arising from the unequal distribution of power and wealth among the states of the empire. The electors, and other nobles of the highest rank, not only possessed sovereign jurisdiction, but governed such extensive, populous, and rich countries, as rendered them great princes. Many of the other members, though they enjoyed all the rights of sovereignty, ruled over such petty domains, that their real power bore no proportion to this high prerogative. A well-compacted and vigorous confederacy could not be formed of such dissimilar states. The weaker were jealous, timid, and unable either to assert or to defend their just privileges. The more powerful were apt to assume and to become oppressive. The electors and emperors, by turns, endeavoured to extend their own authority, by encroaching on those feeble members of the Germanic body, who sometimes defended their rights with much spirit; but more frequently, being overawed or corrupted, they tamely surrendered their privileges, or meanly favoured the designs formed against them[s].

All these render the Germanic body inca-

After contemplating all these principles of disunion and opposition in the constitution of the German empire, it will be easy to account for the want of concord

[s] Note xlii.

and uniformity, conspicuous in its councils and proceedings. That slow, dilatory, distrustful, and irresolute spirit, which characterizes all its deliberations, will appear natural in a body, the junction of whose members was so incomplete, the different parts of which were held together by such feeble ties, and set at variance by such powerful motives. But the empire of Germany, nevertheless, comprehended countries of such great extent, and was inhabited by such a martial and hardy race of men, that when the abilities of an emperor, or zeal for any common cause, could rouse this unwieldy body to put forth its strength, it acted with almost irresistible force. In the following History we shall find, that as the measures on which Charles the fifth was most intent, were often thwarted or rendered abortive by the spirit of jealousy and division peculiar to the Germanic constitution; so it was by the influence which he acquired over the princes of the empire, and by engaging them to cooperate with him, that he was enabled to make some of the greatest efforts which distinguish his reign.

pable of acting with union and vigour.

The Turkish history is so blended, during the reign of Charles the fifth, with that of the great nations in Europe, and the Ottoman porte interposed so often, and with such decisive influence, in the wars and negotiations of the christian princes, that some previous account of the state of government in that great empire, is no less necessary for the information of my readers, than those views of the constitution of other kingdoms which I have already exhibited to them.

View of the Turkish government;

It has been the fate of the southern and more fertile parts of Asia, at different periods, to be conquered by that warlike and hardy race of men who inhabit the vast country known to the ancients by the name of Scythia, and among the moderns by that of Tartary. One tribe of these people, called Turks or Turcomans, extended its conquests, under various leaders, and during several centuries, from the shore of the Caspian

its origin;

sea to the straits of the Dardanelles. Towards the middle of the fifteenth century, these formidable conquerors took Constantinople by storm, and established the seat of their government in that imperial city. Greece, Moldavia, Walachia, and the other provinces of the ancient kingdoms of Thrace and Macedonia, together with part of Hungary, were subjected to their power.

its despotic genius.

But though the seat of the Turkish government was fixed in Europe, and the sultans obtained possession of such extensive dominions in that quarter of the globe, the genius of their policy continued to be purely Asiatic; and may be properly termed a despotism, in contradistinction to those monarchical and republican forms of government which we have been hitherto contemplating. The supreme power was vested in sultans of the Ottoman race, that blood being deemed so sacred, that no other was thought worthy of the throne. From this elevation, these sovereigns could look down and behold all their subjects reduced to the same level before them. The maxims of Turkish policy do not authorize any of those institutions, which, in other countries, limit the exercise, or moderate the rigour, of monarchical power: they admit neither of any great court with constitutional and permanent jurisdiction to interpose, both in enacting laws, and in superintending the execution of them; nor of a body of hereditary nobles, whose sense of their own preeminence, whose consciousness of what is due to their rank and character, whose jealousy of their privileges circumscribe the authority of the prince, and serve not only as a barrier against the excesses of his caprice, but stand as an intermediate order between him and the people. Under the Turkish government, the political condition of every subject is equal. To be employed in the service of the sultan is the only circumstance that confers distinction. Even this distinction is rather official than personal, and so closely annexed to the station in which any in-

dividual serves, that it is scarcely communicated to the persons of those who are placed in them. The highest dignity in the empire does not give any rank or pre-eminence to the family of him who enjoys it. As every man, before he is raised to any station of authority, must go through the preparatory discipline of a long and servile obedience[t], the moment he is deprived of power, he and his posterity return to the same condition with other subjects, and sink back into obscurity. It is the distinguishing and odious characteristic of eastern despotism, that it annihilates all other ranks of men, in order to exalt the monarch; that it leaves nothing to the former, while it gives every thing to the latter; that it endeavours to fix in the minds of those who are subject to it, the idea of no relation between men, but that of a master and of a slave; the former destined to command and to punish, the latter formed to tremble and to obey[u].

Power of the sultan limited by religion;

But as there are circumstances which frequently obstruct or defeat the salutary effects of the best-regulated governments, there are others which contribute to mitigate the evils of the most defective forms of policy. There can, indeed, be no constitutional restraints upon the will of a prince in a despotic government; but there may be such as are accidental. Absolute as the Turkish sultans are, they feel themselves circumscribed both by religion, the principle on which their authority is founded[x], and by the army, the instrument which they must employ in order to maintain it. Wherever religion interposes, the will of the sovereign must submit to its decrees. When the koran hath prescribed any religious rite, hath enjoined any moral duty, or hath confirmed, by its sanction, any political maxim, the command of the sultan cannot overturn that which an higher authority hath established. The chief restriction, however, on the will of

[t] State of the Turkish Empire by Rycaut, p. 25.
[u] Note xliii. [x] Rycaut, p. 8.

and by the military.

the sultans is imposed by the military power. An armed force must surround the throne of every despot, to maintain his authority, and to execute his commands. As the Turks extended their empire over nations which they did not exterminate, but reduce to subjection, they found it necessary to render their military establishment numerous and formidable.

Origin of the janizaries. A. D. 1362.

Amurath, their third sultan, in order to form a body of troops devoted to his will, that might serve as the immediate guards of his person and dignity, commanded his officers to seize annually, as the imperial property, the fifth part of the youth taken in war. These, after being instructed in the mahometan religion, inured to obedience by severe discipline, and trained to warlike exercises, were formed into a body distinguished by the name of 'janizaries,' or new soldiers. Every sentiment which enthusiasm can inspire, every mark of distinction that the favour of the prince could confer, were employed in order to animate this body with martial ardour, and with a consciousness of its own preeminence[y]. The janizaries soon became the chief strength and pride of the Ottoman armies; and, by their number as well as reputation, were distinguished above all the troops, whose duty it was to attend on the person of the sultans[z].

Their vast influence in the Turkish government.

Thus, as the supreme power in every society is possessed by those who have arms in their hands, this formidable body of soldiers, destined to be the instruments of enlarging the sultan's authority, acquired, at the same time, the means of controlling it. The janizaries in Constantinople, like the prætorian bands in ancient Rome, quickly perceived all the advantages which they derived from being stationed in the capital; from their union under one standard; and from being masters of the person of the prince. The sultans became no less sensible of their influence and importance.

[y] Prince Cantemir's History of the Othman Empire, p. 87.

[z] Note xliv.

The 'capiculy,' or soldiery of the porte, was the only power in the empire that a sultan or his visier had reason to dread. To preserve the fidelity and attachment of the janizaries, was the great art of government, and the principal object of attention in the policy of the Ottoman court. Under a monarch, whose abilities and vigour of mind fit him for command, they are obsequious instruments; execute whatever he enjoins, and render his power irresistible. Under feeble princes, or such as are unfortunate, they become turbulent and mutinous; assume the tone of masters; degrade and exalt sultans at pleasure; and teach those to tremble, on whose nod, at other times, life and death depend.

Progress of the Turks towards dominion.

From Mahomet the second, who took Constantinople, to Solyman the magnificent, who began his reign a few months after Charles the fifth was placed on the imperial throne of Germany, a succession of illustrious princes ruled over the Turkish empire. By their great abilities, they kept their subjects of every order, military as well as civil, submissive to government, and had the absolute command of whatever force their vast empire was able to exert. Solyman, in particular, who is known to the christians chiefly as a conqueror, but is celebrated in the Turkish annals as the great lawgiver who established order and police in their empire, governed, during his long reign, with no less authority than wisdom. He divided his dominions into several districts; he appointed the number of soldiers which each should furnish; he appropriated a certain proportion of the land in every province, for their maintenance; he regulated, with a minute accuracy, every thing relative to their discipline, their arms, and the nature of their service. He put the finances of the empire into an orderly train of administration; and, though the taxes in the Turkish dominions, as well as in the other despotic monarchies of the east, are far from being considerable, he supplied that defect by an attentive and severe economy.

Nor was it only under such sultans as Solyman,

Advantages which they possessed over the christian powers in the sixteenth century.

whose talents were no less adapted to preserve internal order than to conduct the operations of war, that the Turkish empire engaged with advantage in its contests with the christian states. The long succession of able princes, which I have mentioned, had given such vigour and firmness to the Ottoman government, that it seems to have attained, during the sixteenth century, the highest degree of perfection of which its constitution was capable. Whereas the great monarchies in christendom were still far from that state which could enable them to act with a full exertion of their force. Besides this, the Turkish troops in that age possessed every advantage which arises from superiority in military discipline. At the time when Solyman began his reign, the janizaries had been embodied near a century and a half; and, during that long period, the severity of their military discipline had in no degree relaxed. The other soldiers, drawn from the provinces of the empire, had been kept almost continually under arms, in the various wars which the sultans had carried on, with hardly any interval of peace. Against troops thus trained and accustomed to service, the forces of the christian powers took the field with great disadvantage. The most intelligent as well as impartial authors of the sixteenth century acknowledge and lament the superior attainments of the Turks in the military art[a]. The success which almost uniformly attended their arms, in all their wars, demonstrates the justness of this observation. The christian armies did not acquire that superiority over the Turks, which they now possess, until the long establishment of standing forces had improved military discipline among the former; and until various causes and events, which it is not my province to explain, had corrupted or abolished their ancient warlike institutions among the latter.

[a] Note xlv.

THE

HISTORY OF THE REIGN

OF THE

EMPEROR CHARLES THE FIFTH.

THE HISTORY

OF

THE REIGN OF THE EMPEROR

CHARLES THE FIFTH.

THE FIRST BOOK.

CHARLES the fifth was born at Ghent on the twenty-fourth day of February, in the year one thousand five hundred. His father, Philip the handsome, archduke of Austria, was the son of the emperor Maximilian, and of Mary, the only child of Charles the bold, the last prince of the house of Burgundy. His mother, Joanna, was the second daughter of Ferdinand, king of Aragon, and of Isabella, queen of Castile. Birth of Charles the fifth.

A long train of fortunate events had opened the way for this young prince to the inheritance of more extensive dominions than any European monarch, since Charlemagne, had possessed. Each of his ancestors had acquired kingdoms or provinces, towards which their prospect of succession was extremely remote. The rich possessions of Mary of Burgundy had been destined for another family, she having been contracted by her father to the only son of Louis the eleventh of France; but that capricious monarch, indulging his hatred to her family, chose rather to strip her of part of her territories by force, than to secure the whole by marriage; and by this misconduct, fatal to his posterity, he threw all the Netherlands and Franche Comté into the hands of a rival. Isabella, the daughter of His dominions, and the events by which he acquired them.

John the second of Castile, far from having any prospect of that noble inheritance which she transmitted to her grandson, passed the early part of her life in obscurity and indigence. But the Castilians, exasperated against her brother Henry the fourth, an ill-advised and vicious prince, publicly charged him with impotence, and his queen with adultery. Upon his demise, rejecting Joanna, whom Henry had uniformly, and even on his death-bed, owned to be his lawful daughter, and whom an assembly of the states had acknowledged to be the heir of his kingdom, they obliged her to retire into Portugal, and placed Isabella on the throne of Castile. Ferdinand owed the crown of Aragon to the unexpected death of his elder brother, and acquired the kingdoms of Naples and Sicily by violating the faith of treaties, and disregarding the ties of blood. To all these kingdoms, Christopher Columbus, by an effort of genius and of intrepidity, the boldest and most successful that is recorded in the annals of mankind, added a new world, the wealth of which became one considerable source of the power and grandeur of the Spanish monarchs.

Philip and Joanna, his father and mother, visit Spain.

Don John, the only son of Ferdinand and Isabella, and their eldest daughter, the queen of Portugal, being cut off, without issue, in the flower of youth, all their hopes centred in Joanna and her posterity. But as her husband, the archduke, was a stranger to the Spaniards, it was thought expedient to invite him into Spain, that, by residing among them, he might accustom himself to their laws and manners; and it was expected that the cortes, or assembly of states, whose authority was then so great in Spain, that no title to the crown was reckoned valid unless it received their sanction, would acknowledge his right of succession, together with that of the infanta, his wife. Philip and Joanna, passing through France in their way to Spain, were entertained in that kingdom with the utmost mag-
1502. nificence. The archduke did homage to Louis the

twelfth for the earldom of Flanders, and took his seat as a peer of the realm in the parliament of Paris. They were received in Spain with every mark of honour that the parental affection of Ferdinand and Isabella, or the respect of their subjects, could devise; and their title to the crown was soon after acknowledged by the cortes of both kingdoms.

Ferdinand jealous of Philip's power.

But, amidst these outward appearances of satisfaction and joy, some secret uneasiness preyed upon the mind of each of these princes. The stately and reserved ceremonial of the Spanish court was so burthensome to Philip, a prince young, gay, affable, fond of society and of pleasure, that he soon began to express a desire of returning to his native country, the manners of which were more suited to his temper. Ferdinand, observing the declining health of his queen, with whose life he knew that his right to the government of Castile must cease, easily foresaw, that a prince of Philip's disposition, and who already discovered an extreme impatience to reign, would never consent to his retaining any degree of authority in that kingdom; and the prospect of this diminution of his power awakened the jealousy of that ambitious monarch.

Isabella's solicitude with respect to him and her daughter.

Isabella beheld, with the sentiments natural to a mother, the indifference and neglect with which the archduke treated her daughter, who was destitute of those beauties of person, as well as those accomplishments of mind, which fix the affections of an husband. Her understanding, always weak, was often disordered. She doted on Philip with such an excess of childish and indiscreet fondness, as excited disgust rather than affection. Her jealousy, for which her husband's behaviour gave her too much cause, was proportioned to her love, and often broke out in the most extravagant actions. Isabella, though sensible of her defects, could not help pitying her condition, which was soon rendered altogether deplorable by the archduke's abrupt resolution of setting out in the middle of winter for

Flanders, and of leaving her in Spain. Isabella entreated him not to abandon his wife to grief and melancholy, which might prove fatal to her, as she was near the time of her delivery. Joanna conjured him to put off his journey for three days only, that she might have the pleasure of celebrating the festival of christmas in his company. Ferdinand, after representing the imprudence of his leaving Spain, before he had time to become acquainted with the genius, or to gain the affections of the people, who were one day to be his subjects, besought him, at least, not to pass through France, with which kingdom he was then at open war. Philip, without regarding either the dictates of humanity, or the maxims of prudence, persisted in his purpose, and on the twenty-second of December set out for the Low Countries, by the way of France[a].

Disorder of Joanna's mind. Birth of Ferdinand, afterwards emperor.

From the moment of his departure, Joanna sunk into a deep and sullen melancholy[b], and while she was in that situation, bore Ferdinand, her second son, for whom the power of his brother Charles afterwards procured the kingdoms of Hungary and Bohemia, and to whom he at last transmitted the imperial sceptre. Joanna was the only person in Spain who discovered no joy at the birth of this prince. Insensible to that, as well as to every other pleasure, she was wholly occupied with the thoughts of returning to her husband; nor did she, in any degree, recover tranquillity of mind, until she arrived at Brussels next year[c].

1504.

Philip, in passing through France, had an interview with Louis the twelfth, and signed a treaty with him, by which he hoped that all the differences between France and Spain would have been finally terminated. But Ferdinand, whose affairs at that time were extremely prosperous in Italy, where the superior genius

[a] Petri Martyris Anglerii Epistolæ, 250. 253.
[b] Id. Epist. 255.
[c] Mariana, lib. 27. c. 11. 14. Fléchier, Vie de Ximén. i. 191.

of Gonsalvo de Cordova, the great captain, triumphed on every occasion over the arms of France, did not pay the least regard to what his son-in-law had concluded, and carried on hostilities with greater ardour than ever.

Death of Isabella.

From this time Philip seems not to have taken any part in the affairs of Spain, waiting in quiet till the death either of Ferdinand or of Isabella should open the way to one of their thrones. The latter of these events was not far distant. The untimely death of her son and eldest daughter had made a deep impression on the mind of Isabella; and as she could derive but little consolation for the losses which she had sustained either from her daughter Joanna, whose infirmities daily increased, or from her son-in-law, who no longer preserved even the appearance of a decent respect towards that unhappy princess, her spirits and health began gradually to decline, and, after languishing some months, she died at Medina del Campo on the twenty-sixth of November, one thousand five hundred and four. She was no less eminent for virtue than for wisdom; and whether we consider her behaviour as a queen, as a wife, or as a mother, she is justly entitled to the high encomiums bestowed upon her by the Spanish historians[d].

Her will, appointing Ferdinand regent of Castile.

A few weeks before her death, she made her last will; and, being convinced of Joanna's incapacity to assume the reins of government into her own hands, and having no inclination to commit them to Philip, with whose conduct she was extremely dissatisfied, she appointed Ferdinand regent or administrator of the affairs of Castile, until her grandson Charles should attain the age of twenty. She bequeathed to Ferdinand, likewise, one half of the revenues which should arise from the Indies, together with the grand masterships of the three military orders; dignities which rendered the person who possessed them almost inde-

[d] P. Mart. Ep. 279.

pendent, and which Isabella had, for that reason, annexed to the crown[e]. But, before she signed a deed so favourable to Ferdinand, she obliged him to swear that he would not, by a second marriage, or by any other means, endeavour to deprive Joanna or her posterity of their right of succession to any of his kingdoms[f].

Immediately upon the queen's death, Ferdinand resigned the title of king of Castile, and issued orders to proclaim Joanna and Philip the sovereigns of that kingdom. But, at the same time, he assumed the character of regent, in consequence of Isabella's testament; and not long after, he prevailed on the cortes of Castile to acknowledge his right to that office. This, however, he did not procure without difficulty, nor without discovering such symptoms of alienation and disgust among the Castilians as filled him with great uneasiness. The union of Castile and Aragon, for almost thirty years, had not so entirely extirpated the ancient and hereditary enmity which subsisted between the natives of these kingdoms, that the Castilian pride could submit, without murmuring, to the government of a king of Aragon. Ferdinand's own character, with which the Castilians were well acquainted, was far from rendering his authority desirable. Suspicious, discerning, severe, and parsimonious, he was accustomed to observe the most minute actions of his subjects with a jealous attention, and to reward their highest services with little liberality; and they were now deprived of Isabella, whose gentle qualities, and partiality to her Castilian subjects, often tempered his austerity or rendered it tolerable. The maxims of his government were especially odious to the grandees; for that artful prince, sensible of the dangerous privileges conferred upon them by the feudal institutions, had endeavoured to

Ferdinand acknowledged as regent by the cortes. 1505.

The Castilians dissatisfied.

[e] P. Martyr. Ep. 277. Mar. Hist. lib. 28. c. 11. Ferrer. Hist. Génér. d'Espagne, tom. viii. 263.

[f] Mar. Hist. lib. 28. c. 14.

curb their exorbitant power[g], by extending the royal jurisdiction, by protecting their injured vassals, by increasing the immunities of cities, and by other measures equally prudent. From all these causes, a formidable party among the Castilians united against Ferdinand; and though the persons who composed it had not hitherto taken any public step in opposition to him, he plainly saw, that, upon the least encouragement from their new king, they would proceed to the most violent extremities.

Philip endeavours to obtain the government of Castile.

There was no less agitation in the Netherlands upon receiving the accounts of Isabella's death, and of Ferdinand's having assumed the government of Castile. Philip was not of a temper tamely to suffer himself to be supplanted by the ambition of his father-in-law. If Joanna's infirmities, and the nonage of Charles, rendered them incapable of government, he, as a husband, was the proper guardian of his wife, and, as a father, the natural tutor of his son. Nor was it sufficient to oppose to these just rights, and to the inclination of the people of Castile, the authority of a testament, the genuineness of which was, perhaps, doubtful, and its contents to him appeared certainly to be iniquitous. A keener edge was added to Philip's resentment, and new vigour infused into his councils by the arrival of don John Manuel. He was Ferdinand's ambassador at the imperial court, but, upon the first notice of Isabella's death, repaired to Brussels, flattering himself that, under a young and liberal prince, he might attain to power and honours, which he could never have expected in the service of an old and frugal master. He had early paid court to Philip, during his residence in Spain, with such assiduity as entirely gained his confidence; and, having been trained to business under Ferdinand, could oppose his schemes with equal abili-

[g] Marian. lib. 28. c. 12.

ties, and with arts not inferior to those for which that monarch was distinguished [h].

He requires Ferdinand to resign the regency.

By the advice of Manuel, ambassadors were despatched to require Ferdinand to retire into Aragon, and to resign the government of Castile to those persons whom Philip should intrust with it, until his own arrival in that kingdom. Such of the Castilian nobles as had discovered any dissatisfaction with Ferdinand's administration, were encouraged by every method to oppose it. At the same time a treaty was concluded with Louis the twelfth, by which Philip flattered himself, that he had secured the friendship and assistance of that monarch.

Meanwhile, Ferdinand employed all the arts of address and policy, in order to retain the power of which he had got possession. By means of Conchillos, an Aragonian gentleman, he entered into a private negotiation with Joanna, and prevailed on that weak princess to confirm, by her authority, his right to the regency. But this intrigue did not escape the penetrating eye of don John Manuel; Joanna's letter of consent was intercepted; Conchillos was thrown into a dungeon; she herself confined to an apartment in the palace, and all her Spanish domestics secluded from her presence [i].

Ferdinand abandoned by the Castilian nobles.

The mortification which the discovery of this intrigue occasioned to Ferdinand, was much increased by his observing the progress which Philip's emissaries made in Castile. Some of the nobles retired to their castles; others to the towns in which they had influence; they formed themselves into confederacies, and began to assemble their vassals. Ferdinand's court was almost totally deserted; not a person of distinction but Ximenes, archbishop of Toledo, the duke of Alva,

[h] Zurita, Annales de Aragon, tom. vi. p. 12.

[i] P. Mart. Ep. 287. Zurita, Annales, vi. p. 14.

and the marquis of Denia, remaining there; while the houses of Philip's ambassadors were daily crowded with noblemen of the highest rank.

Ferdinand resolves to marry, in order to exclude his daughter from the throne.

Exasperated at this universal defection, and mortified, perhaps, with seeing all his schemes defeated by a younger politician, Ferdinand resolved, in defiance of the law of nature, and of decency, to deprive his daughter and her posterity of the crown of Castile, rather than renounce the regency of that kingdom. His plan for accomplishing this was no less bold, than the intention itself was wicked. He demanded in marriage Joanna, the supposed daughter of Henry the fourth, on the belief of whose illegitimacy Isabella's right to the crown of Castile was founded; and by reviving the claim of this princess, in opposition to which he himself had formerly led armies and fought battles, he hoped once more to get possession of the throne of that kingdom. But Emanuel, king of Portugal, in whose dominions Joanna resided, at that time having married one of Ferdinand's daughters by Isabella, refused his consent to that unnatural match; and the unhappy princess herself, having lost all relish for the objects of ambition, by being long immured in a convent, discovered no less aversion to it[k].

Marries a niece of the French king.

The resources, however, of Ferdinand's ambition were not exhausted. Upon meeting with a repulse in Portugal, he turned towards France, and sought in marriage Germaine de Foix, a daughter of the viscount of Narbonne and of Mary, the sister of Louis the twelfth. The war which that monarch had carried on against Ferdinand in Naples, had been so unfortunate, that he listened with joy to a proposal which furnished him with an honourable pretence for concluding peace: and though no prince was ever more remarkable than Ferdinand for making all his passions bend to the

[k] Sandov. Hist. of Civil Wars in Castile. Lond. 1655, p. 5. Zurita, Annales de Aragon, tom. vi. p. 213.

maxims of interest, or become subservient to the purposes of ambition, yet so vehement was his resentment against his son-in-law, that the desire of gratifying it rendered him regardless of every other consideration. In order to be revenged of Philip, by detaching Louis from his interest, and in order to gain a chance of excluding him from his hereditary throne of Aragon, and the dominions annexed to it, he was ready once more to divide Spain into separate kingdoms, though the union of these was the great glory of his reign, and had been the chief object of his ambition; he consented to restore the Neapolitan nobles of the French faction to their possessions and honours; and submitted to the ridicule of marrying, in an advanced age, a princess of eighteen [l].

The conclusion of this match, which deprived Philip of his only ally, and threatened him with the loss of so many kingdoms, gave him a dreadful alarm, and convinced don John Manuel that there was now a necessity of taking other measures with regard to the affairs of Spain [m]. He accordingly instructed the Flemish ambassadors in the court of Spain, to testify the strong desire which their master had of terminating all differences between him and Ferdinand in an amicable manner, and his willingness to consent to any conditions that would reestablish the friendship which ought to subsist between a father and a son-in-law. Ferdinand, though he had made and broken more treaties than any prince of any age, was apt to confide so far in the sincerity of other men, or to depend so much upon his own address and their weakness, as to be always extremely fond of a negotiation. He listened with eagerness to the declarations, and soon concluded a treaty at Salamanca; in which it was stipulated, that the government of Castile should be carried on in the joint

A treaty between Ferdinand and Philip.

Nov. 24.

[l] P. Mart. Ep. 290. 292. Mariana, lib. 28. c. 16, 17.
[m] P. Mart. Ep. 293.

names of Joanna, of Ferdinand, and of Philip; and that the revenues of the crown, as well as the right of conferring offices, should be shared between Ferdinand and Philip, by an equal division[n].

1506. Philip and Joanna set sail for Spain.

Nothing, however, was farther from Philip's thoughts than to observe this treaty. His sole intention in proposing it was to amuse Ferdinand, and to prevent him from taking any measures for obstructing his voyage into Spain. It had that effect. Ferdinand, sagacious as he was, did not for some time suspect his design; and though, when he perceived it, he prevailed on the king of France not only to remonstrate against the archduke's journey, but to threaten hostilities if he should undertake it; though he solicited the duke of Gueldres to attack his son-in-law's dominions in the Low Countries, Philip and his consort nevertheless set sail with a numerous fleet and a good body of land forces. They were obliged, by a violent tempest, to take shelter in England, where Henry the seventh, in compliance with Ferdinand's solicitations, retained them upwards of three months[o]: at last they were permitted April 28. to depart, and, after a more prosperous voyage, they arrived in safety at Corunna in Gallicia, nor durst Ferdinand attempt, as he once intended, to oppose their landing by force of arms.

The nobility of Castile declare for Philip.

The Castilian nobles, who had been obliged hitherto to conceal or to dissemble their sentiments, now declared openly in favour of Philip. From every corner of the kingdom, persons of the highest rank, with numerous retinues of their vassals, repaired to their new sovereign. The treaty of Salamanca was universally condemned, and all agreed to exclude from the government of Castile a prince, who, by consenting to disjoin Aragon and Naples from that crown, discovered so little concern for its true interests. Ferdinand,

[n] Zurita, Annales de Aragon, vi. 19. P. Mart. Ep. 293, 294.
[o] Ferrer. Hist. viii. 285.

meanwhile, abandoned by almost all the Castilians, disconcerted by their revolt, and uncertain whether he should peaceably relinquish his power, or take arms in order to maintain it, earnestly solicited an interview with his son-in-law, who, by the advice of Manuel, studiously avoided it. Convinced, at last, by seeing the number and zeal of Philip's adherents daily increase, that it was vain to think of resisting such a torrent, Ferdinand consented, by treaty, to resign the regency of Castile into the hands of Philip, to retire into his hereditary dominions of Aragon, and to rest satisfied with the masterships of the military orders, and that share of the revenue of the Indies, which Isabella had bequeathed to him. Though an interview between the princes was no longer necessary, it was agreed to on both sides from motives of decency. Philip repaired to the place appointed, with a splendid retinue of Castilian nobles, and a considerable body of armed men. Ferdinand appeared without any pomp, attended by a few followers mounted on mules, and unarmed. On that occasion don John Manuel had the pleasure of displaying before the monarch, whom he had deserted, the extensive influence which he had acquired over his new master: while Ferdinand suffered, in presence of his former subjects, the two most cruel mortifications which an artful and ambitious prince can feel; being at once overreached in conduct, and stripped of power [p].

June 27. Ferdinand resigns the regency of Castile, and retires to Aragon.

Not long after, he retired into Aragon; and, hoping that some favourable accident would soon open the way to his return into Castile, he took care to protest, though with great secrecy, that the treaty concluded with his son-in-law, being extorted by force, ought to be deemed void of all obligation [q].

July.

Philip took possession of his new authority with a

[p] Zurita, Annales de Arag. vi. 64. Mar. lib. 28. c. 19, 20. P. Mart. Ep. 304, 305, etc.

[q] Zurita, Annales de Arag. vi. p. 68. Ferrer. Hist. viii. 290.

youthful joy. The unhappy Joanna, from whom he derived it, remained, during all these contests, under the dominion of a deep melancholy; she was seldom allowed to appear in public; her father, though he had often desired it, was refused access to her; and Philip's chief object was to prevail on the cortes to declare her incapable of government, that an undivided power might be lodged in his hands, until his son should attain to full age. But such was the partial attachment of the Castilians to their native princess, that though Manuel had the address to gain some members of the cortes assembled at Valladolid, and others were willing to gratify their new sovereign in his first request, the great body of the representatives refused their consent to a declaration which they thought so injurious to the blood of their monarchs[r]. They were unanimous, however, in acknowledging Joanna and Philip, queen and king of Castile, and their son Charles, prince of Asturias.

Philip and Joanna acknowledged as king and queen by the cortes.

This was almost the only memorable event during Philip's administration. A fever put an end to his life in the twenty-eighth year of his age, when he had not enjoyed the regal dignity, which he had been so eager to obtain, full three months[s].

Death of Philip. Sept. 25, 1506.

The whole royal authority in Castile ought, of course, to have devolved upon Joanna. But the shock occasioned by a disaster so unexpected as the death of her husband, completed the disorder of her understanding, and her incapacity for government. During all the time of Philip's sickness, no entreaty could prevail on her, though in the sixth month of her pregnancy, to leave him for a moment. When he expired, however, she did not shed one tear, or utter a single groan. Her grief was silent and settled; she continued to watch the dead body with the same tenderness and attention as if it had been alive[t]; and though at last she permitted it

The disorder of Joanna's mind increases.

[r] Zurita, Annales de Arag. vi. p. 75.
[s] Marian. lib. 28. c. 23.
[t] P. Mart. Ep. 316.

to be buried, she soon removed it from the tomb to her own apartment. There it was laid upon a bed of state, in a splendid dress: and having heard from some monk a legendary tale of a king who revived after he had been dead fourteen years, she kept her eyes almost constantly fixed on the body, waiting for the happy moment of its return to life. Nor was this capricious affection for her dead husband less tinctured with jealousy, than that which she had borne to him when alive. She did not permit any of her female attendants to approach the bed on which his corpse was laid; she would not suffer any woman who did not belong to her family to enter the apartment; and rather than grant that privilege to a midwife, though a very aged one had been chosen on purpose, she bore the princess Catharine without any other assistance than that of her own domestics [u].

She is incapable of government.

A woman in such a state of mind was little capable of governing a great kingdom; and Joanna, who made it her sole employment to bewail the loss, and to pray for the soul, of her husband, would have thought her attention to public affairs an impious neglect of those duties which she owed to him. But though she declined assuming the administration herself, yet, by a strange caprice of jealousy, she refused to commit it to any other person; and no entreaty of her subjects could persuade her to name a regent, or even to sign such papers as were necessary for the execution of justice, and the security of the kingdom.

Maximilian the emperor, and Ferdinand, competitors for the regency.

The death of Philip threw the Castilians into the greatest perplexity. It was necessary to appoint a regent, both on account of Joanna's frenzy, and the infancy of her son; and as there was not among the nobles any person so eminently distinguished, either by superiority in rank or abilities, as to be called by the public voice to that high office, all naturally turned

[u] Mar. Hist. lib. 29. c. 3. et 5. P. Mart. Ep. 318. 324. 328. 332.

their eyes either towards Ferdinand, or towards the emperor Maximilian. The former claimed that dignity, as administrator for his daughter, and by virtue of the testament of Isabella; the latter thought himself the legal guardian of his grandson, whom, on account of his mother's infirmities, he already considered as king of Castile. Such of the nobility as had lately been most active in compelling Ferdinand to resign the government of the kingdom, trembled at the thoughts of his being restored so soon to his former dignity. They dreaded the return of a monarch not apt to forgive, and who, to those defects with which they were already acquainted, added that resentment which the remembrance of their behaviour, and reflection upon his own disgrace, must naturally have excited. Though none of these objections lay against Maximilian, he was a stranger to the laws and manners of Castile; he had not either troops or money to support his pretensions; nor could his claim be admitted without a public declaration of Joanna's incapacity for government; an indignity to which, notwithstanding the notoriety of her distemper, the delicacy of the Castilians could not bear the thoughts of subjecting her.

Don John Manuel, however, and a few of the nobles, who considered themselves as most obnoxious to Ferdinand's displeasure, declared for Maximilian, and offered to support his claim with all their interest. Maximilian, always enterprising and decisive in council, though feeble and dilatory in execution, eagerly embraced the offer. But a series of ineffectual negotiations was the only consequence of this transaction. The emperor, as usual, asserted his rights in a high strain, promised a great deal, and performed nothing [x].

Ferdinand absent, on a visit to his kingdom of Naples.

A few days before the death of Philip, Ferdinand had set out for Naples, that, by his own presence, he might put an end, with greater decency, to the vice-

[x] Mariana, lib. 29. c. 7. Zurita, Annales de Arag. vi. 93.

royalty of the great captain, whose important services, and cautious conduct, did not screen him from the suspicions of his jealous master. Though an account of his son-in-law's death reached him at Porto-fino, in the territories of Genoa, he was so solicitous to discover the secret intrigues which he supposed the great captain to have been carrying on, and to establish his own authority on a firm foundation in the Neapolitan dominions, by removing him from the supreme command there, that, rather than discontinue his voyage, he chose to leave Castile in a state of anarchy, and even to risk, by this delay, his obtaining possession of the government of that kingdom[y].

Acquires the regency of Castile, chiefly through the cardinal Ximenes.

Nothing but the great abilities and prudent conduct of his adherents could have prevented the bad effects of this absence. At the head of these was Ximenes, archbishop of Toledo, who, though he had been raised to that dignity by Isabella, contrary to the inclination of Ferdinand, and though he could have no expectation of enjoying much power under the administration of a master little disposed to distinguish him by extraordinary marks of attention, was nevertheless so disinterested, as to prefer the welfare of his country before his own grandeur, and to declare, that Castile could never be so happily governed as by a prince, whom long experience had rendered thoroughly acquainted with its true interest. The zeal of Ximenes to bring over his countrymen to this opinion, induced him to lay aside somewhat of his usual austerity and
1507. haughtiness. He condescended, on this occasion, to court the disaffected nobles, and employed address, as well as arguments, to persuade them. Ferdinand seconded his endeavours with great art; and by concessions to some of the grandees, by promises to others, and by letters full of complaisance to all, he gained
Aug. 21. many of his most violent opponents[z]. Though many

[y] Zurita, Annales de Arag. vi. p. 85. [z] Ibid. vi. p. 87. 94. 109.

cabals were formed, and some commotions were excited, yet when Ferdinand, after having settled the affairs of Naples, arrived in Castile, he entered upon the administration without opposition. The prudence with which he exercised his authority in that kingdom, equalled the good fortune by which he had recovered it. By a moderate but steady administration, free from partiality and from resentment, he entirely reconciled the Castilians to his person, and secured to them, during the remainder of his life, as much domestic tranquillity, as was consistent with the genius of the feudal government, which still subsisted among them in full vigour[a].

Ferdinand returns to Spain.

His prudent administration.

Nor was the preservation of tranquillity in his hereditary kingdoms the only obligation which the archduke Charles owed to the wise regency of his grandfather; it was his good fortune, during that period, to have very important additions made to the dominions over which he was to reign. On the coast of Barbary, Oran, and other conquests of no small value, were annexed to the crown of Castile by cardinal Ximenes, who, with a spirit very uncommon in a monk, led in person a numerous army against the Moors of that country; and, with a generosity and magnificence still more singular, defrayed the whole expense of the expedition out of his own revenues[b]. In Europe, Ferdinand, under pretences no less frivolous than unjust, as well as by artifices the most shameful and treacherous, expelled John d'Albert, the lawful sovereign, from the throne of Navarre; and, seizing on that kingdom, extended the limits of the Spanish monarchy from the Pyrenees on the one hand, to the frontiers of Portugal on the other[c].

Conquest of Oran.

1509.

Acquisition of Navarre.

It was not, however, the desire of aggrandizing the archduke, which influenced Ferdinand in this, or in

Ferdinand jealous of his grandson Charles.

[a] Mariana, lib. 29. c. 10.
[b] Id. ibid. c. 13.
[c] Id. lib. 30. c. 11, 12. 18. 24.

1509. any other of his actions. He was more apt to consider that young prince as a rival, who might one day wrest out of his hands the government of Castile, than as a grandson, for whose interest he was intrusted with the administration. This jealousy soon begot aversion, and even hatred, the symptoms of which he was at no pains to conceal. Hence proceeded his immoderate joy when his young queen was delivered of a son, whose life would have deprived Charles of the crowns of Aragon, Naples, Sicily, and Sardinia; and upon the untimely death of that prince, he discovered, for the same reason, an excessive solicitude to have other children. This impatience hastened, in all probability, the accession of Charles to the crown of Spain. Ferdinand, in order to procure a blessing, of which, from his advanced age, and the intemperance of his youth, he could have little prospect, had recourse to his physicians, and by their prescription took one of those potions, which are supposed to add vigour to the constitution, though they
1513. more frequently prove fatal to it. This was its effect on a frame so feeble and exhausted as that of Ferdinand; for though he survived a violent disorder, which it at first occasioned, it brought on such an habitual languor and dejection of mind, as rendered him averse from any serious attention to public affairs, and fond of frivolous amusements, on which he had not hitherto bestowed much time[d]. Though he now despaired of having any son of his own, his jealousy of the archduke did not abate, nor could he help viewing him with that aversion which princes often bear to their successors.

1515. In order to gratify this unnatural passion, he made a will, appointing prince Ferdinand, who, having been born and educated in Spain, was much beloved by the Spaniards, to be regent of all his kingdoms, until the arrival of the archduke his brother; and by the same

Endeavours to diminish his power, by a will in favour of Ferdinand.

[d] Zurita, Annales de Arag. vi. p. 347. P. Mart. Ep. 531. Argensola, Annales de Aragon, lib. i. p. 4.

deed he settled upon him the grand mastership of the three military orders. The former of these grants might have put it in the power of the young prince to have disputed the throne with his brother; the latter would, in any event, have rendered him almost independent of him. 1515.

Ferdinand retained to the last that jealous love of power, which was so remarkable through his whole life. Unwilling, even at the approach of death, to admit a thought of relinquishing any portion of his authority, he removed continually from place to place, in order to fly from his distemper, or to forget it. Though his strength declined every day, none of his attendants durst mention his condition; nor would he admit his father confessor, who thought such silence criminal and unchristian, into his presence. At last the danger became so imminent, that it could be no longer concealed. Ferdinand received the intimation with a decent fortitude; and touched, perhaps, with compunction at the injustice which he had done his grandson, or influenced by the honest remonstrances of Carvajal, Zapara, and Vargas, his most ancient and faithful counsellors, who represented to him, that by investing prince Ferdinand with the regency, he would infallibly entail a civil war on the two brothers, and by bestowing on him the grand mastership of the military orders, would strip the crown of its noblest ornament and chief strength, he consented to alter his will with respect to both these particulars. By a new deed he left Charles the sole heir of all his dominions, and allotted to prince Ferdinand, instead of that throne of which he thought himself almost secure, an inconsiderable establishment of fifty thousand ducats a year[e]. He died a few hours after signing this will, on the twenty-third day of January, one thousand five hundred and sixteen.

Is persuaded to alter that will,

and dies.

[e] Mar. Hist. lib. 30. c. ult. Zurita, Annales de Arag. vi. 401. P. Mart. Ep. 565, 566. Argensola, Annales de Arag. lib. i. p. 11.

1516. Charles, to whom such a noble inheritance descended by his death, was near the full age of sixteen. He had hitherto resided in the Low Countries, his paternal dominions. Margaret of Austria, his aunt, and Margaret of York, the sister of Edward the fourth of England, and widow of Charles the bold, two princesses of great virtue and abilities, had the care of forming his early youth. Upon the death of his father, the Flemings committed the government of the Low Countries to his grandfather, the emperor Maximilian, with the name rather than the authority of regent[f]. Maximilian made choice of William de Croy, lord of Chièvres, to superintend the education of the young prince his grandson[g]. That nobleman possessed, in an eminent

Education of Charles the fifth.

[f] Pontius Heuterus, Rerum Austriacarum lib. xv. Lov. 1649. lib. vii. c. 2. p. 155.

[g] The French historians, upon the authority of M. de Bellay, Mém. p. 11. have unanimously asserted that Philip, by his last will, having appointed the king of France to have the direction of his son's education, Louis the twelfth, with a disinterestedness suitable to the confidence reposed in him, named Chièvres for that office. Even the president Hénault has adopted this opinion. Abrégé Chron. a. d. 1507. Varillas, in his usual manner, pretends to have seen Philip's testament. Prat. de l'Education des Princes, p. 16. But the Spanish, German, and Flemish historians concur in contradicting this assertion of the French authors. It appears from Heuterus, a contemporary Flemish historian of great authority, that Louis the twelfth, by consenting to the marriage of Germaine de Foix with Ferdinand, had lost much of that confidence which Philip once placed in him; that his disgust was increased by the French king's giving in marriage to the count of Angoulême his eldest daughter, whom he had formerly betrothed to Charles; Heuter. Rer. Austr. lib. v. 151. That the French, a short time before Philip's death, had violated the peace which subsisted between them and the Flemings, and Philip had complained of this injury, and was ready to resent it. Heuter. ibid. All these circumstances render it improbable that Philip, who made his will a few days before he died, Heuter. p. 152. should commit the education of his son to Louis the twelfth. In confirmation of these plausible conjectures, positive testimony can be produced. It appears from Heuterus that Philip, when he set out for Spain, had intrusted Chièvres both with the care of his son's education, and with the government of his dominions in the Low Countries. Heuter. lib. vii. p. 153. That an attempt was made, soon after Philip's death, to have the emperor Maximilian appointed regent during the minority of his grandson; but this being opposed, Chièvres seems to have continued to discharge both the offices

degree, the talents which fitted him for such an important office, and discharged the duties of it with great fidelity. Under Chièvres, Adrian of Utrecht acted as preceptor. This preferment, which opened his way to the highest dignities an ecclesiastic can attain, he owed not to his birth, for that was extremely mean; nor to his interest, for he was a stranger to the arts of a court; but to the opinion which his countrymen entertained of his learning. He was, indeed, no inconsiderable proficient in those frivolous sciences, which, during several centuries, assumed the name of philosophy, and had published a commentary, which was highly esteemed, upon 'the book of sentences,' a famous treatise of Petrus Lombardus, considered at that time as the standard system of metaphysical theology. But whatever admiration these procured him in an illiterate age, it was soon found that a man accustomed to the retirement of a college, unacquainted with the world, and without any tincture of taste or elegance, was by no means qualified for rendering science agreeable to a young prince. Charles, accordingly, discovered an early aversion to learning, and an excessive fondness for those violent and martial exercises, to excel in which was the chief pride, and almost the only study, of persons of rank in that age. Chièvres encouraged this taste, either from a desire of gaining his pupil by indulgence, or from too slight an opinion of the advantages of literary accomplishments[h]. He instructed 1516.

which Philip had committed to him. Heuter. ibid. 153. 155. That in the beginning of the year 1508, the Flemings invited Maximilian to accept of the regency; to which he consented, and appointed his daughter Margaret, together with a council of Flemings, to exercise the supreme authority, when he himself should, at any time, be absent. He likewise named Chièvres as governor, and Adrian of Utrecht as preceptor to his son. Heut. ibid. 155. 157. What Heuterus relates with respect to this matter is confirmed by Moringus, in Vita Adriani apud Analecta Casp. Burmanni de Adriano, cap. 10.; by Barlandus Chronic. Brabant. ibid. p. 25. and by Haræus, Annal. Brab. vol. ii. 520, etc.

[h] Jovii Vita Adriani, p. 91. Struvii Corpus Hist. Germ. ii. 967. P. Heuter. Rer. Austr. lib. vii. c. 3. p. 157.

1516. him, however, with great care in the arts of government; he made him study the history not only of his own kingdoms, but of those with which they were connected; he accustomed him, from the time of his assuming the government of Flanders, in the year one thousand five hundred and fifteen, to attend to business; he persuaded him to peruse all papers relating to public affairs; to be present at the deliberations of his privy counsellors, and to propose to them himself those matters concerning which he required their opinion[i]. From such an education, Charles contracted habits of gravity and recollection which scarcely suited his time of life. The first openings of his genius did not indicate that superiority which its maturer age displayed[k]. He did not discover in his youth the impetuosity of spirit which commonly ushers in an active and enterprising manhood. Nor did his early obsequiousness to Chièvres, and his other favourites, promise that capacious and decisive judgment, which afterwards directed the affairs of one half of Europe. But his subjects, dazzled with the external accomplishments of a graceful figure and manly address, and viewing his character with that partiality which is always shown to princes during their youth, entertained sanguine hopes of his adding lustre to those crowns which descended to him by the death of Ferdinand.

The first openings of his character.

The kingdoms of Spain, as is evident from the view which I have given of their political constitution, were at that time in a situation which required an administration no less vigorous than prudent. The feudal institutions, which had been introduced into all its different provinces by the Goths, the Suevi, and the Vandals, subsisted in great force. The nobles, who were powerful and warlike, had long possessed all the exorbitant

State of Spain requires a vigorous administration.

[i] Mémoires de Bellay, 8vo. Par. 1573, p. 11. P. Heuter. lib. viii. c. 1. p. 184.

[k] P. Martyr. Ep. 569. 655.

privileges which these institutions vested in their order. 1516.
The cities in Spain were more numerous and more considerable, than the genius of feudal government, naturally unfavourable to commerce and to regular police, seemed to admit. The personal rights and political influence, which the inhabitants of these cities had acquired, were extensive. The royal prerogative, circumscribed by the privileges of the nobility, and by the pretensions of the people, was confined within very narrow limits. Under such a form of government, the principles of discord were many; the bond of union was extremely feeble; and Spain felt not only all the inconveniencies occasioned by the defects in the feudal system, but was exposed to disorders arising from the peculiarities in its own constitution.

During the long administration of Ferdinand, no internal commotion, it is true, had arisen in Spain. His superior abilities had enabled him to restrain the turbulence of the nobles, and to moderate the jealousy of the commons. By the wisdom of his domestic government, by the sagacity with which he conducted his foreign operations, and by the high opinion that his subjects entertained of both, he had preserved among them a degree of tranquillity, greater than was natural to a constitution, in which the seeds of discord and disorder were so copiously mingled. But, by the death of Ferdinand, these restraints were at once withdrawn; and faction and discontent, from being long repressed, were ready to break out with fiercer animosity.

Ferdinand had appointed cardinal Ximenes regent.

In order to prevent these evils, Ferdinand had, in his last will, taken a most prudent precaution, by appointing cardinal Ximenes, archbishop of Toledo, to be sole regent of Castile, until the arrival of his grandson in Spain. The singular character of this man, and the extraordinary qualities which marked him out for that office at such a juncture, merit a particular description. He was descended of an honourable, not of a wealthy

1516. family; and the circumstances of his parents, as well as his own inclinations, having determined him to enter into the church, he early obtained benefices of great value, and which placed him in the way of the highest preferment. All these, however, he renounced at once; and, after undergoing a very severe novitiate, assumed the habit of St. Francis in a monastery of observantine friars, one of the most rigid orders in the Romish church. There he soon became eminent for his uncommon austerity of manners, and for those excesses of superstitious devotion, which are the proper characteristics of the monastic life. But, notwithstanding these extravagancies, to which weak and enthusiastic minds alone are usually prone, his understanding, naturally penetrating and decisive, retained its full vigour, and acquired him such great authority in his own order, as raised him to be their provincial. His reputation for sanctity soon procured him the office of father confessor to queen Isabella, which he accepted with the utmost reluctance. He preserved in a court the same austerity of manners which had distinguished him in the cloister. He continued to make all his journeys on foot; he subsisted only upon alms; his acts of mortification were as severe as ever, and his penances as rigorous. Isabella, pleased with her choice, conferred on him, not long after, the archbishopric of Toledo, which, next to the papacy, is the richest dignity in the church of Rome. This honour he declined, with a firmness, which nothing but the authoritative injunction of the pope was able to overcome. Nor did this height of promotion change his manners. Though obliged to display in public that magnificence which became his station, he himself retained his monastic severity. Under his pontifical robes he constantly wore the coarse frock of St. Francis, the rents in which he used to patch with his own hands. He at no time used linen; but was commonly clad in hair cloth. He slept always in his habit, most

His rise and character.

frequently on the ground, or on boards; rarely in a bed. He did not taste any of the delicacies which appeared at his table, but satisfied himself with that simple diet which the rule of his order prescribed[1]. Notwithstanding these peculiarities, so opposite to the manners of the world, he possessed a thorough knowledge of its affairs; and no sooner was he called by his station, and by the high opinion which Ferdinand and Isabella entertained of him, to take a principal share in the administration, than he displayed talents for business which rendered the fame of his wisdom equal to that of his sanctity. His political conduct, remarkable for the boldness and originality of all his plans, flowed from his real character, and partook both of its virtues and its defects. His extensive genius suggested to him schemes vast and magnificent. Conscious of the integrity of his intentions, he pursued these with unremitting and undaunted firmness. Accustomed from his early youth to mortify his own passions, he showed little indulgence toward those of other men. Taught by his system of religion to check even his most innocent desires, he was the enemy of every thing to which he could affix the name of elegance or pleasure. Though free from any suspicion of cruelty, he discovered in all his commerce with the world a severe inflexibility of mind, and austerity of character, peculiar to the monastic profession, and which can hardly be conceived in a country where that is unknown. 1516.

Cardinal Adrian appointed regent by Charles.

Such was the man to whom Ferdinand committed the regency of Castile; and though Ximenes was then near fourscore, and perfectly acquainted with the labour and difficulty of the office, his natural intrepidity of mind, and zeal for the public good, prompted him to accept of it without hesitation. Adrian of Utrecht, who had been sent into Spain a few months before the

[1] Histoire de l'Administration du Card. Ximén. par Mich. Baudier, 4to. 1635. p. 13.

1516. death of Ferdinand, produced full powers from the archduke to assume the name and authority of regent, upon the demise of his grandfather; but such was the aversion of the Spaniards to the government of a stranger, and so unequal the abilities of the two competitors, that Adrian's claim would at once have been rejected, if Ximenes himself, from complaisance to his new master, had not consented to acknowledge him as regent, and to carry on the government in conjunction with him. By this, however, Adrian acquired a dignity merely nominal. Ximenes, though he treated him with great decency, and even respect, retained the whole power in his own hands[m].

Ximenes obtains the sole direction of affairs.

His precautions against the infant don Ferdinand.

The cardinal's first care was to observe the motions of the infant don Ferdinand, who, having been flattered with so near a prospect of supreme power, bore the disappointment of his hopes with greater impatience than a prince at a period of life so early could have been supposed to feel. Ximenes, under pretence of providing more effectually for his safety, removed him from Guadaloupe, the place in which he had been educated, to Madrid, where he fixed the residence of the court. There he was under the cardinal's own eye, and his conduct, with that of his domestics, was watched with the utmost attention[n].

The first intelligence he received from the Low Countries gave greater disquiet to the cardinal, and convinced him how difficult a task it would be to conduct the affairs of an unexperienced prince, under the influence of counsellors unacquainted with the laws and manners of Spain. No sooner did the account of Ferdinand's death reach Brussels, than Charles, by the advice of his Flemish ministers, resolved to assume the title of king. By the laws of Spain, the sole right to the crowns, both of Castile and of Aragon, belonged

Charles assumes the title of king.

[m] Cometius de Reb. gest. Ximenii, p. 150. fol. Compl. 1569.

[n] Miniana. Contin. Marianæ, lib. i. c. 2. Baudier, Hist. de Ximén. p. 118.

to Joanna; and though her infirmities disqualified her from governing, this incapacity had not been declared by any public act of the cortes in either kingdom; so that the Spaniards considered this resolution, not only as a direct violation of their privileges, but as an unnatural usurpation in a son on the prerogatives of a mother, towards whom, in her present unhappy situation, he manifested a less delicate regard than her subjects had always expressed[o]. The Flemish court, however, having prevailed both on the pope and on the emperor to address letters to Charles as king of Castile, the former of whom, it was pretended, had a right, as head of the church, and the latter, as head of the empire, to confer this title, instructions were sent to Ximenes, to prevail on the Spaniards to acknowledge it. Ximenes, though he had earnestly remonstrated against the measure, as no less unpopular than unnecessary, resolved to exert all his authority and credit in carrying it into execution, and immediately assembled such of the nobles as were then at court. What Charles required was laid before them; and when, instead of complying with his demands, they began to murmur against such an unprecedented encroachment on their privileges, and to talk high of the rights of Joanna, and their oath of allegiance to her, Ximenes hastily interposed, and, with that firm and decisive tone which was natural to him, told them that they were not called now to deliberate, but to obey; that their sovereign did not apply to them for advice, but expected submission; and 'this day,' added he, 'Charles shall be proclaimed king of Castile in Madrid; and the rest of the cities, I doubt not, will follow its example.' On the spot he gave orders for that purpose[p]; and, notwithstanding the novelty of the practice, and the secret discontents of many persons of distinction, Charles's

1516.

Recognised through the influence of Ximenes, April 13.

[o] P. Mart. Ep. 568.

[p] Gometius, p. 152, etc. Baudier, Hist. de Ximén. p. 121.

1516. title was universally recognised. In Aragon, where the privileges of the subject were more extensive, and the abilities, as well as authority, of the archbishop of Saragossa, whom Ferdinand had appointed regent, were far inferior to those of Ximenes, the same obsequiousness to the will of Charles did not appear, nor was he acknowledged there under any other character but that of prince, until his arrival in Spain[q].

His schemes for extending the prerogative:

Ximenes, though possessed only of delegated power, which, from his advanced age, he could not expect to enjoy long, assumed, together with the character of regent, all the ideas natural to a monarch, and adopted schemes for extending the regal authority, which he pursued with as much intrepidity and ardour, as if he himself had been to reap the advantages resulting from their success. The exorbitant privileges of the Castilian nobles circumscribed the prerogative of the prince within very narrow limits. These privileges the cardinal considered as so many unjust extortions from the crown, and determined to abridge them. Dangerous as the attempt was, there were circumstances in his situation, which promised him greater success than any king of Castile could have expected. His strict and prudent economy of his archiepiscopal revenues, furnished him with more ready money than the crown could at any time command; the sanctity of his manners, his charity, and munificence, rendered him the idol of the people; and the nobles themselves, not suspecting any danger from him, did not observe his motions with the same jealous attention, as they would have watched those of one of their monarchs.

by depressing the nobility:

Immediately upon his accession to the regency, several of the nobles, fancying that the reins of government would of consequence be somewhat relaxed, began to assemble their vassals, and to prosecute, by force of arms, private quarrels and pretensions, which the au-

[q] P. Mart. Ep. 572.

thority of Ferdinand had obliged them to dissemble or to relinquish. But Ximenes, who had taken into pay a good body of troops, opposed and defeated all their designs with unexpected vigour and facility; and though he did not treat the authors of these disorders with any cruelty, he forced them to acts of submission, extremely mortifying to the haughty spirit of Castilian grandees. 1516.

by forming a body of troops depending on the crown;

But while the cardinal's attacks were confined to individuals, and every act of rigour was justified by the appearance of necessity, founded on the forms of justice, and tempered with a mixture of lenity, there was scarcely room for jealousy or complaint. It was not so with his next measure, which, by striking at a privilege essential to the nobility, gave a general alarm to the whole order. By the feudal constitution, the military power was lodged in the hands of the nobles, and men of an inferior condition were called into the field only as their vassals, and to follow their banners. A king, with scanty revenues, and a limited prerogative, depended on these potent barons in all his operations. It was with their forces he attacked his enemies, and with them he defended his kingdom. While at the head of troops attached warmly to their own immediate lords, and accustomed to obey no other commands, his authority was precarious, and his efforts feeble. From this state Ximenes resolved to deliver the crown; and, as mercenary standing armies were unknown under the feudal government, and would have been odious to a martial and generous people, he issued a proclamation, commanding every city in Castile to enrol a certain number of its burgesses, in order that they might be trained to the use of arms on Sundays and holidays; he engaged to provide officers to command them at the public expense; and, as an encouragement to the private men, promised them an exemption from all taxes and impositions. The frequent incursions of the Moors from Africa, and the necessity of having some force always ready to oppose them, furnished a plausible

1516. pretence for this innovation. The object really in view was to secure the king a body of troops independent of his barons, and which might serve to counterbalance their power[r]. The nobles were not slow in perceiving what was his intention, and saw how effectually the scheme which he had adopted would accomplish his end; but as a measure which had the pious appearance of resisting the progress of the infidels was extremely popular, and as any opposition to it, arising from their order alone, would have been imputed wholly to interested motives, they endeavoured to excite the cities themselves to refuse obedience, and to inveigh against the proclamation as inconsistent with their charters and privileges. In consequence of their instigations, Burgos, Valladolid, and several other cities, rose in open mutiny. Some of the grandees declared themselves their protectors. Violent remonstrances were presented to the king. His Flemish counsellors were alarmed. Ximenes alone continued firm and undaunted; and partly by terrour, partly by entreaty; by force in some instances, and by forbearance in others; he prevailed on all the refractory cities to comply[s]. During his administration, he continued to execute his plan with vigour; but soon after his death it was entirely dropped.

by recalling the grants of former monarchs to the nobility.

His success in this scheme for reducing the exorbitant power of the nobility, encouraged him to attempt a diminution of their possessions, which were no less exorbitant. During the contests and disorders inseparable from the feudal government, the nobles, ever attentive to their own interest, and taking advantage of the weakness or distress of their monarchs, had seized some parts of the royal demesnes, obtained grants of others, and, having gradually wrested almost the whole out of the hands of the prince, had annexed them to

[r] Minianæ Continuatio Marianæ, fol. Hag. 1733. p. 3.
[s] P. Mart. Ep. 556, etc. Gometius, p. 160, etc.

their own estates. The titles, by which most of the grandees held these lands, were extremely defective; it was from some successful usurpation, which the crown had been too feeble to dispute, that many derived their only claim to possession. An inquiry carried back to the origin of these encroachments, which were almost coeval with the feudal system, was impracticable; and, as it would have stripped every nobleman in Spain of great part of his lands, it must have excited a general revolt. Such a step was too bold even for the enterprising genius of Ximenes. He confined himself to the reign of Ferdinand; and, beginning with the pensions granted during that time, refused to make any farther payment, because all right to them expired with his life. He then called to account such as had acquired crown lands under the administration of that monarch, and at once resumed whatever he had alienated. The effects of these revocations extended to many persons of high rank; for though Ferdinand was a prince of little generosity, yet he and Isabella having been raised to the throne of Castile by a powerful faction of the nobles, they were obliged to reward the zeal of their adherents with great liberality, and the royal demesnes were their only fund for that purpose. The addition made to the revenue of the crown by these revocations, together with his own frugal economy, enabled Ximenes not only to discharge all the debts which Ferdinand had left, and to remit considerable sums to Flanders, but to pay the officers of his new militia, and to establish magazines not only more numerous, but better furnished with artillery, arms, and warlike stores, than Spain had ever possessed in any former age[t]. The prudent and disinterested application of these sums, was a full apology to the people for the rigour with which they were exacted. 1516.

The nobles, alarmed at these repeated attacks, be-

[t] Fléchier, Vie de Ximén. ii. 600.

1516. gan to think of precautions for the safety of their order. Many cabals were formed, loud complaints were uttered, and desperate resolutions taken; but, before they proceeded to extremities, they appointed some of their number to examine the powers, in consequence of which the cardinal exercised acts of such high authority. The admiral of Castile, the duke de Infantado, and the conde de Benevento, grandees of the first rank, were intrusted with this commission. Ximenes received them with cold civility, and, in answer to their demand, produced the testament of Ferdinand by which he was appointed regent, together with the ratification of that deed by Charles. To both these they objected; and he endeavoured to establish their validity. As the conversation grew warm, he led them insensibly towards a balcony, from which they had a view of a large body of troops under arms, and of a formidable train of artillery. 'Behold,' says he, pointing to these and raising his voice, 'the powers which I have received from his catholic majesty. With these I govern Castile; and with these I will govern it, until the king, your master and mine, takes possession of his kingdom[u].' A declaration so bold and haughty silenced them, and astonished their associates. To take arms against a man aware of his danger, and prepared for his defence, was what despair alone would dictate. All thoughts of a general confederacy against the cardinal's administration were laid aside; and, except from some slight commotions, excited by the private resentment of particular noblemen, the tranquillity of Castile suffered no interruption.

The nobles oppose his measures;

but without success.

It was not only from the opposition of the Spanish nobility that obstacles arose to the execution of the cardinal's schemes; he had a constant struggle to maintain with the Flemish ministers, who, presuming upon their favour with the young king, aimed at di-

Thwarted by Charles's Flemish ministers.

[u] Fléch. ii. 551. Ferrer. Hist. viii. 433.

recting the affairs of Spain, as well as those of their own country. Jealous of the great abilities and independent spirit of Ximenes, they considered him rather as a rival who might circumscribe their power, than as a minister who, by his prudence and vigour, was adding to the grandeur and authority of their master. Every complaint against his administration was listened to with pleasure by the courtiers in the Low Countries. Unnecessary obstructions were thrown by their means in the way of all his measures; and though they could not, either with decency or safety, deprive him of the office of regent, they endeavoured to lessen his authority by dividing it. They soon discovered that Adrian of Utrecht, already joined with him in office, had neither genius nor spirit sufficient to give the least check to his proceedings; and, therefore, Charles, by their advice, added to the commission of regency la Chau, a Flemish gentleman, and afterwards Amerstorf, a nobleman of Holland; the former distinguished for his address, the latter for his firmness. Ximenes, though no stranger to the malevolent intention of the Flemish courtiers, received these new associates with all the external marks of distinction due to the office with which they were invested; but when they came to enter upon business, he abated nothing of that air of superiority with which he had treated Adrian, and still retained the sole direction of affairs. The Spaniards, more averse, perhaps, than any other people, to the government of strangers, approved of all his efforts to preserve his own authority. Even the nobles, influenced by this national passion, and forgetting their jealousies and discontents, chose rather to see the supreme power in the hands of one of their countrymen, whom they feared, than in those of foreigners, whom they hated.

1516.

An additional number of regents appointed.

Ximenes retains the direction of affairs

Ximenes, though engaged in such great schemes of domestic policy, and embarrassed by the artifices and intrigues of the Flemish ministers, had the burthen of

His successful war in Navarre.

1516. two foreign wars to support. The one was in Navarre, which was invaded by its unfortunate monarch, John d'Albert. The death of Ferdinand, the absence of Charles, the discord and disaffection which reigned among the Spanish nobles, seemed to present him with a favourable opportunity of recovering his dominions. The cardinal's vigilance, however, defeated a measure so well concerted. As he foresaw the danger to which that kingdom might be exposed, one of his first acts of administration was to order thither a considerable body of troops. While the king was employed with one part of his army in the siege of St. Jean Pied en Port, Villalva, an officer of great experience and courage, attacked the other by surprise, and cut it to pieces. The king instantly retreated with precipitation, and an end was put to the war[x]. But as Navarre was filled at that time with towns and castles slightly fortified and weakly garrisoned, which, being unable to resist an enemy, served only to furnish him with places of retreat; Ximenes, always bold and decisive in his measures, ordered every one of these to be dismantled, except Pampeluna, the fortifications of which he proposed to render very strong. To this uncommon precaution Spain owes the possession of Navarre. The French, since that period, have often entered, and have as often overrun the open country; while they were exposed to all the inconveniencies attending an invading army, the Spaniards have easily drawn troops from the neighbouring provinces to oppose them; and the French, having no place of any strength to which they could retire, have been obliged repeatedly to abandon their conquest with as much rapidity as they gained it.

His operations in Africa less fortunate.

The other war which he carried on in Africa, against the famous adventurer Horuc Barbarossa, who, from a private corsair, raised himself, by his singular valour

[x] P. Mart. Ep. 570.

and address, to be king of Algiers and Tunis, was far from being equally successful. The ill conduct of the Spanish general, and the rash valour of his troops, presented Barbarossa with an easy victory. Many perished in the battle, more in the retreat, and the remainder returned into Spain covered with infamy. The magnanimity, however, with which the cardinal bore this disgrace, the only one he experienced during his administration, added new lustre to his character[y]. Great composure of temper under a disappointment, was not expected from a man so remarkable for the eagerness and impatience with which he urged on the execution of all his schemes. 1516.

Corruption of the Flemish ministers, particularly of Chièvres.

This disaster was soon forgotten; while the conduct of the Flemish court proved the cause of constant uneasiness, not only to the cardinal, but to the whole Spanish nation. All the great qualities of Chièvres, the prime minister and favourite of the young king, were sullied with an ignoble and sordid avarice. The accession of his master to the crown of Spain, opened a new and copious source for the gratification of this passion. During the time of Charles's residence in Flanders, the whole tribe of pretenders to offices or to favour resorted thither. They soon discovered that, without the patronage of Chièvres, it was vain to hope for preferment; nor did they want sagacity to find out the proper method of securing his protection. Great sums of money were drawn out of Spain. Every thing was venal, and disposed of to the highest bidder. After the example of Chièvres, the inferior Flemish ministers engaged in this traffic, which became as general and avowed, as it was infamous[z]. The Spaniards were filled with rage, when they beheld offices of great importance to the welfare of their country, set to sale by strangers, unconcerned for its honour or its happiness. Ximenes, disinterested in his whole administration, and

[y] Gometius, lib. vi. p. 179.

[z] Miniana, Contin. lib. i. c. 2.

1516. a stranger, from his native grandeur of mind, to the passion of avarice, inveighed with the utmost boldness against the venality of the Flemings. He represented to the king, in strong terms, the murmurs and indignation which their behaviour excited among a free and high-spirited people, and besought him to set out without loss of time for Spain, that, by his presence, he might dissipate the clouds which were gathering all over the kingdom [a].

Charles persuaded by Ximenes to visit Spain.

Charles was fully sensible that he had delayed too long to take possession of his dominions in Spain. Powerful obstacles, however, stood in his way, and detained him in the Low Countries. The war which the league of Cambray had kindled in Italy, still subsisted; though, during its course, the armies of all the parties engaged in it had changed their destination and their objects. France was now in alliance with Venice, which it had at first combined to destroy. Maximilian and Ferdinand had for some years carried on hostilities against France, their original ally, to the valour of whose troops the confederacy had been indebted in a great measure for its success. Together with his kingdoms, Ferdinand transmitted this war to his grandson; and there was reason to expect that Maximilian, always fond of new enterprises, would persuade the young monarch to enter into it with ardour. But the Flemings, who had long possessed an extensive commerce, which, during the league of Cambray, had grown to a great height upon the ruins of the Venetian trade, dreaded a rupture with France; and Chièvres, sagacious to discern the true interest of his country, and not warped on this occasion by his love of wealth, warmly declared for maintaining peace with the French nation. Francis the first, destitute of allies, and solicitous to secure his late conquests in Italy by a treaty, listened with joy to the first overtures of accommoda-

[a] P. Mart. Ep. 576.

tion. Chièvres himself conducted the negotiation in the name of Charles. Gouffier appeared as plenipotentiary for Francis. Each of them had presided over the education of the prince whom he represented. They had both adopted the same pacific system; and were equally persuaded that the union of the two monarchs was the happiest event for themselves, as well as for their kingdoms. In such hands the negotiation did not languish. A few days after opening their conferences at Noyon, they concluded a treaty of confederacy and mutual defence between the two monarchs; the chief articles in which were, that Francis should give in marriage to Charles his eldest daughter, the princess Louise, an infant of a year old, and, as her dowry, should make over to him all his claims and pretensions upon the kingdom of Naples; that, in consideration of Charles's being already in possession of Naples, he should, until the accomplishment of the marriage, pay an hundred thousand crowns a year to the French king; and the half of that sum annually, as long as the princess had no children; that when Charles shall arrive in Spain, the heirs of the king of Navarre may represent to him their right to that kingdom; and if, after examining their claim, he does not give them satisfaction, Francis shall be at liberty to assist them with all his forces [b]. This alliance not only united Charles and Francis, but obliged Maximilian, who was unable alone to cope with the French and Venetians, to enter into a treaty with those powers, which put a final period to the bloody and tedious war that the league of Cambray had occasioned. Europe enjoyed a few years of universal tranquillity, and was indebted for that blessing to two princes, whose rivalship and ambition kept it in perpetual discord and agitation during the remainder of their reigns.

1516.

A peace concluded with France Aug. 13, 1516.

By the treaty of Noyon, Charles secured a safe pas-

[b] Léonard, Recueil des Traités, tom. ii. 69.

1516. sage into Spain. It was not, however, the interest of his Flemish ministers, that he should visit that kingdom soon. While he resided in Flanders, the revenues of the Spanish crown were spent there, and they engrossed, without any competitors, all the effects of their monarch's generosity; their country became the seat of government, and all favours were dispensed by them. Of all these advantages they ran the risk of seeing themselves deprived, from the moment that their sovereign entered Spain. The Spaniards would naturally assume the direction of their own affairs; the Low Countries would be considered only as a province of that mighty monarchy; and they, who now distributed the favours of the prince to others, must then be content to receive them from the hands of strangers. But what Chièvres chiefly wished to avoid was, an interview between the king and Ximenes. On the one hand, the wisdom, the integrity, and the magnanimity of that prelate gave him a wonderful ascendant over the minds of men; and it was extremely probable, that these great qualities, added to the reverence due to his age and office, would command the respect of a young prince, who, capable of noble and generous sentiments himself, would, in proportion to his admiration of the cardinal's virtues, lessen his deference towards persons of another character. Or, on the other hand, if Charles should allow his Flemish favourites to retain all the influence over his councils, which they at present possessed, it was easy to foresee that the cardinal would remonstrate loudly against such an indignity to the Spanish nation, and vindicate the rights of his country with the same intrepidity and success, with which he had asserted the prerogatives of the crown. For these reasons, all his Flemish counsellors combined to retard his departure; and Charles, unsuspicious, from want of experience, and fond of his native country, suffered himself to be unnecessarily detained in the Netherlands a whole year after signing the treaty of Noyon.

The Flemings averse to Charles's visit to Spain.

Afraid of Ximenes.

The repeated entreaties of Ximenes, the advice of his grandfather Maximilian, and the impatient murmurs of his Spanish subjects, prevailed on him at last to embark. He was attended not only by Chièvres, his prime minister, but by a numerous and splendid train of the Flemish nobles, fond of beholding the grandeur, or of sharing in the bounty, of their prince. After a dangerous voyage, he landed at Villa Viciosa, in the province of Asturias, and was received with such loud acclamations of joy, as a new monarch, whose arrival was so ardently desired, had reason to expect. The Spanish nobility resorted to their sovereign from all parts of the kingdom, and displayed a magnificence which the Flemings were unable to emulate[c].

1517. Charles embarks for Spain. Sept. 13.

Ximenes, who considered the presence of the king as the greatest blessing to his dominions, was advancing towards the coast, as fast as the infirm state of his health would permit, in order to receive him. During his regency, and notwithstanding his extreme old age, he had abated, in no degree, the rigour or frequency of his mortifications; and to these he added such laborious assiduity in business, as would have worn out the most youthful and vigorous constitution. Every day he employed several hours in devotion; he celebrated mass in person; he even allotted some space for study. Notwithstanding these occupations, he regularly attended the council; he received and read all papers presented to him; he dictated letters and instructions; and took under his inspection all business, civil, ecclesiastical, or military. Every moment of his time was filled up with some serious employment. The only amusement in which he indulged himself, by way of relaxation after business, was to canvass, with a few friars and other divines, some intricate article in scholastic theology. Wasted by such a course of life, the infirmities of age daily grew upon him. On his journey

His Flemish ministers endeavour to prevent an interview with Ximenes.

[c] P. Mart. Ep. 599. 601.

1517. a violent disorder seized him at Bos Equillos, attended with uncommon symptoms; which his followers considered as the effect of poison[d], but could not agree whether the crime ought to be imputed to the hatred of the Spanish nobles, or to the malice of the Flemish courtiers. This accident obliging him to stop short, he wrote to Charles, and, with his usual boldness, advised him to dismiss all the strangers in his train, whose numbers and credit gave offence already to the Spaniards, and would, ere long, alienate the affections of the whole people. At the same time he earnestly desired to have an interview with the king, that he might inform him of the state of the nation, and the temper of his subjects. To prevent this, not only the Flemings, but the Spanish grandees, employed all their address, and industriously kept Charles at a distance from Aranda, the place to which the cardinal had removed. Through their suggestions, every measure that he recommended was rejected; the utmost care was taken to make him feel, and to point out to the whole nation, that his power was on the decline; even in things purely trivial, such a choice was always made, as was deemed most disagreeable to him. Ximenes did not bear this treatment with his usual fortitude of spirit. Conscious of his own integrity and merit, he expected a more grateful return from a prince to whom he delivered a kingdom more flourishing than it had been in any former age, together with authority more extensive, and better established, than the most illustrious of his ancestors had ever possessed. He could not, therefore, on many occasions, refrain from giving vent to his indignation and complaints. He lamented the fate of his country, and foretold the calamities which it would suffer from the insolence, the rapaciousness, and ignorance of strangers. While his mind was agitated by these passions, he received a letter from the king, in

Charles's ingratitude to Ximenes.

[d] Miniana, Contin. lib. i. c. 3.

which, after a few cold and formal expressions of regard, he was allowed to retire to his diocese, that, after a life of such continued labour, he might end his days in tranquillity. This message proved fatal to Ximenes. His haughty mind, it is probable, could not survive disgrace; perhaps his generous heart could not bear the prospect of the misfortunes ready to fall on his country. Whichsoever of these opinions we embrace, certain it is that he expired a few hours after reading the letter[e]. The variety, the grandeur, and the success of his schemes, during a regency of only twenty months, leave it doubtful, whether his sagacity in council, his prudence in conduct, or his boldness in execution, deserve the greatest praise. His reputation is still high in Spain, not only for wisdom, but for sanctity; and he is the only prime minister mentioned in history, whom his contemporaries reverenced as a saint[f], and to whom the people under his government ascribed the power of working miracles.

1517. His death. Nov. 8.

Soon after the death of Ximenes, Charles made his public entry, with great pomp, into Valladolid, whither he had summoned the cortes of Castile. Though he assumed, on all occasions, the name of king, that title had never been acknowledged in the cortes. The Spaniards considering Joanna as possessed of the sole right to the crown, and no example of a son's having enjoyed the title of king during the life of his parents occurring in their history, the cortes discovered all that scrupulous respect for ancient forms, and that aversion to innovation, which are conspicuous in popular assemblies. The presence, however, of their prince, the address, the artifices, and the threats of his ministers, prevailed on them at last to proclaim him king, in conjunction with his mother, whose name they appointed to be placed before that of her son in all public acts.

1518. Cortes held at Valladolid. Declare Charles king.

[e] Marsollier, Vie de Ximénes, p. 447. Gometius, lib. vii. p. 206, etc. Baudier, Hist. de Ximén. ii. p. 208.

[f] Fléchier, Vie de Ximén. ii. p. 746.

1518. But, when they made this concession, they declared, that if, at any future period, Joanna should recover the exercise of reason, the whole authority should return into her hands. At the same time, they voted a free gift of six hundred thousand ducats to be paid in three years, a sum more considerable than had ever been granted to any former monarch[g].

Discontent of the Castilians, and the causes of it.

Notwithstanding this obsequiousness of the cortes to the will of the king, the most violent symptoms of dissatisfaction with his government began to break out in the kingdom. Chièvres had acquired over the mind of the young monarch the ascendant not only of a tutor, but of a parent. Charles seemed to have no sentiments but those which his minister inspired, and scarcely uttered a word but what he put into his mouth. He was constantly surrounded by Flemings; no person got access to him without their permission; nor was any admitted to audience but in their presence. As he spoke the Spanish language very imperfectly, his answers were always extremely short, and often delivered with hesitation. From all these circumstances, many of the Spaniards were led to believe that he was a prince of a slow and narrow genius. Some pretended to discover a strong resemblance between him and his mother, and began to whisper that his capacity for government would never be far superior to hers; and though they who had the best opportunity of judging concerning his character, maintained that, notwithstanding such unpromising appearances, he possessed a large fund of knowledge, as well as of sagacity[h]; yet all agreed in condemning his partiality towards the Flemings, and his attachment to his favourites, as unreasonable and immoderate. Unfortunately for Charles, these favourites were unworthy of his confidence. To amass wealth seems to have been their only aim; and

[g] Miniana, Contin. lib. i. c. 3. P. Mart. Ep. 608. Sandov. p. 12.
[h] Sandoval, p. 31. P. Mart. Ep. 655.

as they had reason to fear, that either their master's good sense, or the indignation of the Spaniards, might soon abridge their power, they hastened to improve the present opportunity, and their avarice was the more rapacious, because they expected their authority to be of no long duration. All honours, offices, and benefices, were either engrossed by the Flemings, or publicly sold by them. Chièvres, his wife, and Sauvage, whom Charles, on the death of Ximenes, had imprudently raised to be chancellor of Castile, vied with each other in all the refinements of extortion and venality. Not only the Spanish historians, who, from resentment, may be suspected of exaggeration, but Peter Martyr Angleria, an Italian, who resided at that time in the court of Spain, and who was under no temptation to deceive the persons to whom his letters are addressed, give a description which is almost incredible, of the insatiable and shameless covetousness of the Flemings. According to Angleria's calculation, which he asserts to be extremely moderate, they remitted into the Low Countries, in the space of ten months, no less a sum than a million and one hundred thousand ducats. The nomination of William de Croy, Chièvres' nephew, a young man not of canonical age, to the archbishopric of Toledo, exasperated the Spaniards more than all these exactions. They considered the elevation of a stranger to the head of their church, and to the richest benefice in the kingdom, not only as an injury, but as an insult to the whole nation; both clergy and laity, the former from interest, the latter from indignation, joined in exclaiming against it [i]. 1518.

Charles, leaving Castile thus disgusted with his administration, set out for Saragossa, the capital of Aragon, that he might be present in the cortes of that kingdom. On his way thither, he took leave of his Charles holds the cortes of Aragon.

[i] Sandoval, 28. 31. P. Mart. Ep. 608. 611. 613, 614. 622, 623. 639. Miniana, Contin. lib. i. c. 3. p. 8.

1518. brother Ferdinand, whom he sent into Germany on the pretence of visiting their grandfather Maximilian, in his old age. To this prudent precaution Charles owed the preservation of his Spanish dominions. During the violent commotions which arose there, soon after this period, the Spaniards would infallibly have offered the crown to a prince who was the darling of the whole nation; nor did Ferdinand want ambition, or counsellors, that might have prompted him to accept of the offer[k].

The Aragonese more untractable than the Castilians.

The Aragonese had not hitherto acknowledged Charles as king, nor would they allow the cortes to be assembled in his name, but in that of the justiza, to whom, during an interregnum, this privilege belonged[l]. The opposition Charles had to struggle with, in the cortes of Aragon, was more violent and obstinate than that which he had overcome in Castile: after long delays, however, and with much difficulty, he persuaded the members to confer on him the title of king, in conjunction with his mother. At the same time he bound himself, by that solemn oath, which the Aragonese exacted of their kings, never to violate any of their rights or liberties. When a donative was demanded, the members were still more intractable; many months elapsed before they would agree to grant Charles two hundred thousand ducats; and that sum they appropriated so strictly for paying debts of the crown, which had long been forgotten, that a very small part of it came into the king's hands. What had happened in Castile taught them caution, and determined them rather to satisfy the claims of their fellow-citizens, how obsolete soever, than to furnish strangers the means of enriching themselves with the spoils of their country[m].

During these proceedings of the cortes, ambassadors

[k] P. Martyr, Ep. 619. Ferreras, viii. 460.
[l] P. Martyr, Ep. 605.
[m] P. Martyr, Ep. 615. 634.

arrived at Saragossa from Francis the first, and the young king of Navarre, demanding the restitution of that kingdom in terms of the treaty of Noyon. But neither Charles, nor the Castilian nobles, whom he consulted on this occasion, discovered any inclination to part with this acquisition. A conference held soon after at Montpélier, in order to bring this matter to an amicable issue, was altogether fruitless: while the French urged the injustice of the usurpation, the Spaniards were attentive only to its importance [n]. 1518.

From Aragon Charles proceeded to Catalonia, where he wasted as much time, encountered more difficulties, and gained less money. The Flemings were now become so odious in every province of Spain by their exactions, that the desire of mortifying them, and of disappointing their avarice, augmented the jealousy with which a free people usually conduct their deliberations. 1519.

Combination of the Castilians against the Flemish ministers.

The Castilians, who had felt most sensibly the weight and rigour of the oppressive schemes carried on by the Flemings, resolved no longer to submit with a tameness fatal to themselves, and which rendered them the objects of scorn to their fellow-subjects in the other kingdoms, of which the Spanish monarchy was composed. Segovia, Toledo, Seville, and several other cities of the first rank, entered into a confederacy for the defence of their rights and privileges; and, notwithstanding the silence of the nobility, who, on this occasion, discovered neither the public spirit, nor the resolution which became their order, the confederates laid before the king a full view of the state of the kingdom, and of the maleadministration of his favourites. The preferment of strangers, the exportation of the current coin, the increase of taxes, were the grievances of which they chiefly complained; and of these they demanded redress with that boldness which is natural to a free

[n] P. Martyr, Ep. 605. 633. 640.

1519. people. These remonstrances, presented at first at Saragossa, and renewed afterwards at Barcelona, Charles treated with great neglect. The confederacy, however, of these cities, at this juncture, was the beginning of that famous union among the commons of Castile, which, not long after, threw the kingdom into such violent convulsions as shook the throne, and almost overturned the constitution[o].

Death of the emperor Maximilian. Jan. 12.

Soon after Charles's arrival at Barcelona, he received the account of an event which interested him much more than the murmurs of the Castilians, or the scruples of the cortes of Catalonia. This was the death of the emperor Maximilian; an occurrence of small importance in itself, for he was a prince conspicuous neither for his virtues, nor his power, nor his abilities; but rendered by its consequences more memorable than any that had happened during several ages. It broke that profound and universal peace which then reigned in the christian world; it excited a rivalship between two princes, which threw all Europe into agitation, and kindled wars more general and of longer duration, than had hitherto been known in modern times.

The revolutions occasioned by the expedition of the French king, Charles the eighth, into Italy, had inspired the European princes with new ideas concerning the importance of the imperial dignity. The claims of the empire upon some of the Italian states were numerous; its jurisdiction over others was extensive; and though the former had been almost abandoned, and the latter seldom exercised, under princes of slender abilities and of little influence, it was obvious that, in the hands of an emperor possessed of power or of genius, they might be employed as engines for stretching his dominion over the greater part of that country. Even Maximilian, feeble and unsteady as his conduct always was, had availed himself of the infinite preten-

[o] P. Martyr, Ep. 630. Ferreras, viii. 464.

sions of the empire, and had reaped advantage from every war, and every negotiation in Italy during his reign. These considerations, added to the dignity of the station, confessedly the first among christian princes, and to the rights inherent in the office, which, if exerted with vigour, were far from being inconsiderable, rendered the imperial crown more than ever an object of ambition. 1519.

Not long before his death, Maximilian had discovered great solicitude to preserve this dignity in the Austrian family, and to procure the king of Spain to be chosen his successor. But he himself having never been crowned by the pope, a ceremony deemed essential in that age, was considered only as emperor 'elect.' Though historians have not attended to that distinction, neither the Italian nor German chancery bestowed any other title upon him than that of king of the Romans; and no example occurring in history, of any person's being chosen a successor to a king of the Romans, the Germans, always tenacious of their forms, and unwilling to confer upon Charles an office for which their constitution knew no name, obstinately refused to gratify Maximilian in that point[p]. Maximilian had endeavoured to secure the imperial crown to his grandson.

By his death this difficulty was at once removed, and Charles openly aspired to that dignity which his grandfather had attempted, without success, to secure for him. At the same time Francis the first, a powerful rival, entered the lists against him; and the attention of all Europe was fixed upon this competition, no less illustrious from the high rank of the candidates, than for the importance of the prize for which they contended. Each of them urged his pretensions with sanguine expectations, and with no unpromising prospect of success. Charles considered the imperial crown as Charles and Francis the first competitors for the empire. Pretensions and hopes of Charles;

[p] Guicciardini, lib. xiii. p. 15. Hist. Génér. d'Allemagne, par le P. Barre, tom. viii. part. 1. p. 1087. P. Heuter. Rerum Austr. lib. vii. c. 17. 179. lib. viii. c. 2. p. 183.

1519. belonging to him of right, from its long continuance in the Austrian line; he knew that none of the German princes possessed power or influence enough to appear as his antagonist; he flattered himself, that no consideration would induce the natives of Germany to exalt any foreign prince to a dignity, which during so many ages had been deemed peculiar to their own nation; and least of all, that they would confer this honour upon Francis the first, the sovereign of a people whose genius, and laws, and manners, differed so widely from those of the Germans, that it was hardly possible to establish any cordial union between them; he trusted not a little to the effect of Maximilian's negotiations, which, though they did not attain their end, had prepared the minds of the Germans for his elevation to the imperial throne; but what he relied on as a chief recommendation, was the fortunate situation of his hereditary dominions in Germany, which served as a natural barrier to the empire against the encroachments of the Turkish power. The conquests, the abilities, and the ambition of sultan Selim the second had spread over Europe, at that time, a general and well-founded alarm. By his victories over the mamalukes, and the extirpation of that gallant body of men, he had not only added Egypt and Syria to his empire, but had secured to it such a degree of internal tranquillity, that he was ready to turn against christendom the whole force of his arms, which nothing hitherto had been able to resist. The most effectual expedient for stopping the progress of this torrent, seemed to be the election of an emperor possessed of extensive territories in that country, where its first impression would be felt, and who, besides, could combat this formidable enemy with all the forces of a powerful monarchy, and with all the wealth furnished by the mines of the new world, or the commerce of the Low Countries. These were the arguments by which Charles publicly supported his claim; and to men of integrity and reflection, they ap-

peared to be not only plausible but convincing. He did not, however, trust the success of his cause to these alone. Great sums of money were remitted from Spain; all the refinements and artifice of negotiation were employed; and a considerable body of troops, kept on foot at that time by the states of the circle of Suabia, was secretly taken into his pay. The venal were gained by presents; the objections of the more scrupulous were answered or eluded; some feeble princes were threatened and overawed [q]. 1519.

On the other hand, Francis supported his claim with equal eagerness, and no less confidence of its being well founded. His emissaries contended that it was now high time to convince the princes of the house of Austria, that the imperial crown was elective, and not hereditary; that other persons might aspire to an honour which their arrogance had accustomed them to regard as the property of their family; that it required a sovereign of mature judgment, and of approved abilities, to hold the reins of government, in a country where such unknown opinions concerning religion had been published, as had thrown the minds of men into an uncommon agitation, which threatened the most violent effects; that a young prince without experience, and who had hitherto given no specimens of his genius for command, was no fit match for Selim, a monarch grown old in the art of war, and in the course of victory; whereas a king, who in his early youth had triumphed over the valour and discipline of the Swiss, till then reckoned invincible, would be an antagonist not unworthy the conqueror of the east; that the fire and impetuosity of the French cavalry, added to the discipline and stability of the German infantry, would form an army so irresistible, that, instead of waiting the approach of the Ottoman forces, it might carry of Francis.

[q] Guicc. lib. xiii. 159. Sleidan, Hist. of the Reformat. 14. Struvii Corp. Hist. German. ii. 971. Not. 20.

1519. hostilities into the heart of their dominions; that the election of Charles would be inconsistent with a fundamental constitution, by which the person who holds the crown of Naples is excluded from aspiring to the imperial dignity; that his elevation to that honour would soon kindle a war in Italy, on account of his pretensions to the dutchy of Milan, the effects of which could not fail of reaching the empire, and might prove fatal to it[r]. But while the French ambassadors enlarged upon these and other topics of the same kind, in all the courts of Germany, Francis, sensible of the prejudices entertained against him, as a foreigner unacquainted with the German language or manners, endeavoured to overcome these, and to gain the favour of the princes, by immense gifts, and by infinite promises. As the expeditious method of transmitting money, and the decent mode of conveying a bribe, by bills of exchange, were then little known, the French ambassadors travelled with a train of horses loaded with treasure, an equipage not very honourable for that prince by whom they were employed, and infamous for those to whom they were sent[s].

Views and interest of other states:

The other European princes could not remain indifferent spectators of a contest, the decision of which so nearly affected every one of them. Their common interest ought naturally to have formed a general combination, in order to disappoint both competitors, and to prevent either of them from obtaining such a pre-eminence in power and dignity, as might prove dangerous to the liberties of Europe. But the ideas with respect to a proper distribution and balance of power were so lately introduced into the system of European policy, that they were not hitherto objects of sufficient attention. The passions of some princes, the want of

[r] Guicc. lib. xiii. 160. Sleid. p. 16. Geor. Sabini de Elect. Car. V. Historia apud Scardii Script. Rer. German. vol. ii. p. 4.

[s] Mémoires du Maréch. de Fleuranges, p. 296.

foresight in others, and the fear of giving offence to the candidates, hindered such a salutary union of the powers of Europe, and rendered them either totally negligent of the public safety, or kept them from exerting themselves with vigour in its behalf. 1519.

The Swiss cantons, though they dreaded the elevation of either of the contending monarchs, and though they wished to have seen some prince whose dominions were less extensive, and whose power was more moderate, seated on the imperial throne, were prompted, however, by their hatred of the French nation, to give an open preference to the pretensions of Charles, while they used their utmost influence to frustrate those of Francis [t]. of the Swiss:

The Venetians easily discerned, that it was the interest of their republic to have both the rivals set aside; but their jealousy of the house of Austria, whose ambition and neighbourhood had been fatal to their grandeur, would not permit them to act up to their own ideas, and led them hastily to give the sanction of their approbation to the claim of the French king. of the Venetians:

It was equally the interest, and more in the power, of Henry the eighth of England, to prevent either Francis or Charles from acquiring a dignity which would raise them so far above other monarchs. But though Henry often boasted that he held the balance of Europe in his hand, he had neither the steady attention, the accurate discernment, nor the dispassionate temper which that delicate function required. On this occasion it mortified his vanity so much, to think that he had not entered early into that noble competition which reflected such honour upon the two antagonists, that he took a resolution of sending an ambassador into Germany, and of declaring himself a candidate for the imperial throne. The ambassador, though loaded with caresses by the German princes and the pope's of Henry the eighth:

[t] Sabinus, p. 6.

1519. nuncio, informed his master, that he could hope for no success in a claim which he had been so late in preferring. Henry, imputing his disappointment to that circumstance alone, and soothed with this ostentatious display of his own importance, seems to have taken no farther part in the matter, either by contributing to thwart both his rivals, or to promote one of them[u].

of Leo the tenth.

Leo the tenth, a pontiff no less renowned for his political abilities than for his love of the arts, was the only prince of the age who observed the motions of the two contending monarchs, with a prudent attention, or who discovered a proper solicitude for the public safety. The imperial and papal jurisdiction interfered in so many instances, the complaints of usurpation were so numerous on both sides, and the territories of the church owed their security so little to their own force, and so much to the weakness of the powers around them, that nothing was so formidable to the court of Rome as an emperor with extensive dominions, or of enterprising genius. Leo trembled at the prospect of beholding the imperial crown placed on the head of the king of Spain and of Naples, and the master of the new world; nor was he less afraid of seeing a king of France, who was duke of Milan and lord of Genoa, exalted to that dignity. He foretold that the election of either of them would be fatal to the independence of the holy see, to the peace of Italy, and, perhaps, to the liberties of Europe. But to oppose them with any prospect of success, required address and caution in proportion to the greatness of their power, and their opportunities of taking revenge. Leo was defective in neither. He secretly exhorted the German princes to place one of their own number on the imperial throne, which many of them were capable of filling with honour. He put them in mind of the constitution by which the kings of Naples were for

[u] Mémoires de Fleuranges, 314. Herbert, Hist. of Henry the eighth.

ever excluded from that dignity[x]. He warmly exhorted the French king to persist in his claim; not from any desire that he should gain his end; but, as he foresaw that the Germans would be more disposed to favour the king of Spain, he hoped that Francis himself, when he discovered his own chance of success to be desperate, would be stimulated by resentment and the spirit of rivalship, to concur with all his interest in raising some third person to the head of the empire: or, on the other hand, if Francis should make an unexpected progress, he did not doubt but that Charles would be induced, by similar motives, to act the same part: and thus, by a prudent attention, the mutual jealousy of the two rivals might be so dexterously managed, as to disappoint both. But this scheme, the only one which a prince in Leo's situation could adopt, though concerted with great wisdom, was executed with little discretion. The French ambassadors in Germany fed their master with vain hopes; the pope's nuncio, being gained by them, altogether forgot the instructions which he had received; and Francis persevered so long and with such obstinacy in urging his own pretensions, as rendered all Leo's measures abortive[y]. 1519.

Such were the hopes of the candidates, and the views of the different princes when the diet was opened according to form at Frankfort. The right of choosing an emperor had long been vested in seven great princes, distinguished by the name of electors, the origin of whose office, as well as the nature and extent of their powers, have already been explained. These were, at that time, Albert of Brandenburgh, archbishop of Mentz; Herman count de Wied, archbishop of Cologne; Richard de Greiffenklau, archbishop of Triers; Lewis, king of Bohemia; Lewis, count pala- The diet assembles, June 17th.

[x] Goldasti Constitutiones Imperiales. Francof. 1673. vol. i. 439.
[y] Guicciar. lib. xiii. 161.

1519. tine of the Rhine; Frederic, duke of Saxony; and Joachim the first, marquis of Brandenburgh. Notwithstanding the artful arguments produced by the ambassadors of the two kings in favour of their respective masters, and in spite of all their solicitations, intrigues, and presents, the electors did not forget that maxim, on which the liberty of the German constitution was thought to be founded. Among the members of the Germanic body, which is a great republic composed of states almost independent, the first principle of patriotism is to depress and limit the power of the emperor; and of this idea, so natural under such a form of government, a German politician seldom loses sight. No prince of considerable power or extensive dominions had for some ages been raised to the imperial throne. To this prudent precaution many of the great families in Germany owed the splendour and independence which they had acquired during that period. To elect either of the contending monarchs would have been a gross violation of that salutary maxim; would have given to the empire a master instead of an head; and would have reduced themselves from the rank of being almost his equals, to the condition of his subjects.

Views of the electors.

Full of these ideas, all the electors turned their eyes towards Frederic, duke of Saxony, a prince of such eminent virtue and abilities as to be distinguished by the name of the 'sage,' and with one voice they offered him the imperial crown. He was not dazzled with that object, which monarchs, so far superior to him in power, courted with such eagerness; and after deliberating upon the matter a short time, he rejected it with a magnanimity and disinterestedness no less singular than admirable. 'Nothing,' he observed, 'could be more impolitic, than an obstinate adherence to a maxim which, though sound and just in many cases, was not applicable to all. In times of tranquillity, said he, we wish for an emperor who has not power to invade our liberties; times of danger demand one who is

Offer the imperial crown to Frederic of Saxony,

who rejects it,

able to secure our safety. The Turkish armies, led by a gallant and victorious monarch, are now assembling. They are ready to pour in upon Germany with a violence unknown in former ages. New conjunctures call for new expedients. The imperial sceptre must be committed to some hand more powerful than mine, or that of any other German prince. We possess neither dominions, nor revenues, nor authority, which enable us to encounter such a formidable enemy. Recourse must be had, in this exigency, to one of the rival monarchs. Each of them can bring into the field forces sufficient for our defence. But as the king of Spain is of German extraction; as he is a member and prince of the empire by the territories which descend to him from his grandfather; as his dominions stretch along that frontier which lies most exposed to the enemy; his claim is preferable, in my opinion, to that of a stranger to our language, to our blood, and to our country; and therefore I give my vote to confer on him the imperial crown.' 1519.

This opinion, dictated by such uncommon generosity, and supported by arguments so plausible, made a deep impression on the electors. The king of Spain's ambassadors, sensible of the important service which Frederic had done their master, sent him a considerable sum of money, as the first token of that prince's gratitude. But he who had greatness of mind to refuse a crown, disdained to receive a bribe; and, upon their entreating that, at least, he would permit them to distribute part of that sum among his attendants, he replied, that he could not prevent them from accepting what should be offered, but whoever took a single florin should be dismissed next morning from his service[z]. and refuses any present from Charles's ambassadors.

[z] P. Daniel, an historian of considerable name, seems to call in question the truth of this account of Frederic's behaviour in refusing the imperial crown, because it is not mentioned by Georgius Sabinus in his History of the Election and Coronation of Charles the Fifth, tom. iii. p. 63. But no

1519.

Farther deliberations of the electors.

No prince in Germany could now aspire to a dignity, which Frederic had declined, for reasons applicable to them all. It remained to make a choice between the two great competitors. But besides the prejudice in Charles's favour, arising from his birth, as well as the situation of his German dominions, he owed not a little to the abilities of the cardinal de Gurk, and the zeal of Erard de la Mark, bishop of Liège, two of his ambassadors, who had conducted their negotiations with more prudence and address than those intrusted by the French king. The former, who had long been the minister and favourite of Maximilian, was well acquainted with the art of managing the Germans; and the latter, having been disappointed of a cardinal's hat by Francis, employed all the malicious ingenuity with which the desire of revenge inspires an ambitious mind, in thwarting the measures of that monarch. The Spanish party among the electors daily gained ground; and even the pope's nuncio, being convinced that it was vain to make any farther opposition, endeavoured to acquire some merit with the future emperor, by offering voluntarily, in the name of his master, a dispensation to hold the imperial crown in conjunction with that of Naples[a].

On the twenty-eighth of June, five months and ten days after the death of Maximilian, this important con-

great stress ought to be laid on an omission in a superficial author, whose treatise, though dignified with the name of History, contains only such an account of the ceremonial of Charles's election, as is usually published in Germany on like occasions. Scard. Rer. Germ. Script. vol. ii. p. 1. The testimony of Erasmus, lib. xiii. epist. 4. and that of Sleidan, p. 18. are express. Seckendorf, in his Commentarius Historicus et Apologeticus de Lutheranismo, p. 121. has examined this fact with his usual industry, and has established its truth by the most undoubted evidence. To these testimonies which he has collected, I may add the decisive one of cardinal Cajetan, the pope's legate at Frankfort, in his letter, July 5th, 1519. Epistres des Princes, etc. recueillies par Ruscelli, traduictes par Belforest. Par. 1572, p. 60.

[a] Freheri Rer. German. Scriptores, vol. iii. 172. cur Struvii. Argent. 1717. Giannone, Hist. of Naples, ii. 498.

test, which had held all Europe in suspense, was decided. Six of the electors had already declared for the king of Spain; and the archbishop of Triers, the only firm adherent to the French interest, having at last joined his brethren, Charles was, by the unanimous voice of the electoral college, raised to the imperial throne [b]. 1519. They choose Charles emperor.

But though the electors consented, from various motives, to promote Charles to that high station, they discovered at the same time great jealousy of his extraordinary power, and endeavoured, with the utmost solicitude, to provide against his encroaching on the privileges of the Germanic body. It had long been the custom to demand of every new emperor a confirmation of these privileges, and to require a promise that he never would violate them in any instance. While princes, who were formidable neither from extent of territory, nor of genius, possessed the imperial throne, a general and verbal engagement to this purpose was deemed sufficient security. But, under an emperor so powerful as Charles, other precautions seemed necessary. A 'capitulation' or claim of right was formed, in which the privileges and immunities of the electors, of the princes of the empire, of the cities, and of every other member of the Germanic body, are enumerated. This capitulation was immediately signed by Charles's ambassadors, in the name of their master, and he himself, at his coronation, confirmed it in the most solemn manner. Since that period, the electors have continued to prescribe the same conditions to all his successors; and the capitulation, or mutual contract between the emperor and his subjects, is considered in Germany as a strong barrier against the progress of the imperial power, and as the great charter of their liberties, to which they often appeal [c]. They are apprehensive of his power, and take precautions against it.

[b] Jac. Aug. Thuan. Hist. sui Temporis, edit. Bulkley, lib. i. c. 9.

[c] Pfeffel, Abrégé de l'Hist. du Droit Public d'Allemagne, 590. Limnei Capitulat. Imper. Epistres des Princes par Ruscelli, p. 60.

1519. The important intelligence of his election was conveyed in nine days from Frankfort to Barcelona, where Charles was still detained by the obstinacy of the Catalonian cortes, which had not hitherto brought to an issue any of the affairs which came before it. He received the account with the joy natural to a young and aspiring mind, on an accession of power and dignity which raised him so far above the other princes of Europe. Then it was that those vast prospects, which allured him during his whole administration, began to open; and from this æra we may date the formation, and are able to trace the gradual progress, of a grand system of enterprising ambition, which renders the history of his reign so worthy of attention.

The election notified to Charles.

A trivial circumstance first discovered the effects of this great elevation upon the mind of Charles. In all the public writs which he now issued as king of Spain, he assumed the title of 'majesty,' and required it from his subjects as a mark of their respect. Before that time, all the monarchs of Europe were satisfied with the appellation of 'highness' or 'grace;' but the vanity of other courts soon led them to imitate the example of the Spanish. The epithet of majesty is no longer a mark of preeminence. The most inconsiderable monarchs in Europe enjoy it, and the arrogance of the greater potentates has invented no higher denomination[d].

Its effect upon him.

The Spaniards were far from viewing the promotion of their king to the imperial throne with the same satisfaction which he himself felt. To be deprived of the presence of their sovereign, and to be subjected to the government of a viceroy and his council, a species of administration often oppressive and always disagreeable, were the immediate and necessary consequences of this new dignity. To see the blood of their coun-

The Spaniards dissatisfied with this event.

[d] Minianæ Contin. Mar. p. 13. Ferreras, viii. 475. Mémoires Hist. de la Houssaie, tom. i. p. 53, etc.

trymen shed in quarrels wherein the nation had no concern; to behold its treasures wasted in supporting the splendour of a foreign title; to be plunged in the chaos of Italian and German politics, were effects of this event almost as unavoidable. From all these considerations, they concluded, that nothing could have happened more pernicious to the Spanish nation; and the fortitude and public spirit of their ancestors, who, in the cortes of Castile, prohibited Alphonso the wise from leaving the kingdom, in order to receive the imperial crown, were often mentioned with the highest praise, and pronounced to be extremely worthy of imitation at this juncture[e]. 1519.

But Charles, without regarding the sentiments or murmurs of his Spanish subjects, accepted of the imperial dignity which the count palatine, at the head of a solemn embassy, offered him in the name of the electors; and declared his intention of setting out soon for Germany, in order to take possession of it. This was the more necessary, because, according to the forms of the German constitution, he could not, before the ceremony of a public coronation, exercise any act of jurisdiction or authority[f]. November.

Their dissatisfaction increases.

Their certain knowledge of this resolution augmented so much the disgust of the Spaniards, that a sullen and refractory spirit prevailed among persons of all ranks. The pope having granted the king the tenths of all ecclesiastical benefices in Castile, to assist him in carrying on war with greater vigour against the Turks, a convocation of the clergy unanimously refused to levy that sum, upon pretence that it ought never to be exacted but at those times when christendom was actually invaded by the infidels; and though Leo, in order to support his authority, laid the kingdom under an interdict, so little regard was paid to a

[e] Sandoval, i. p. 32. Minianæ Contin. p. 14.
[f] Sabinus, P. Barre, viii. 1085.

1519. censure which was universally deemed unjust, that Charles himself applied to have it taken off. Thus the Spanish clergy, besides their merit in opposing the usurpations of the pope, and disregarding the influence of the crown, gained the exemption which they had claimed [g].

An insurrection in Valencia.

The commotions which arose in the kingdom of Valencia, annexed to the crown of Aragon, were more formidable, and produced more dangerous and lasting effects. A seditious monk having by his sermons excited the citizens of Valencia, the capital city, to take arms, and to punish certain criminals in a tumultuary manner, the people, pleased with this exercise of power, and with such a discovery of their own importance, not only refused to lay down their arms, but formed themselves into troops and companies, that they might be regularly trained to martial exercises. To obtain some security against the oppression of the grandees was the motive of this association, and proved a powerful bond of union; for as the aristocratical privileges and independence were more complete in Valencia than in any other of the Spanish kingdoms, the nobles, being scarcely accountable for their conduct to any superior, treated the people not only as vassals but as slaves. They were alarmed, however, at the progress of this unexpected insurrection, as it might encourage the people to attempt shaking off the yoke altogether; but, as they could not repress them without taking arms, it became necessary to have recourse to the emperor, and to desire his permission to attack them. At the same time the people made choice of deputies to represent their grievances, and to implore the protection of their sovereign. Happily for the latter, they arrived at court when Charles was exasperated to an high degree against the nobility. As he was eager to visit Germany, where his presence be-

1520. Its progress.

[g] P. Martyr, Ep. 462. Ferreras, viii. 473.

came every day more necessary, and as his Flemish courtiers were still more impatient to return into their native country, that they might carry thither the spoils which they had amassed in Castile, it was impossible for him to hold the cortes of Valencia in person. He had for that reason empowered the cardinal Adrian to represent him in that assembly, and, in his name, to receive their oath of allegiance, to confirm their privileges with the usual solemnities, and to demand of them a free gift. But the Valencian nobles, who considered this measure as an indignity to their country, which was no less entitled than his other kingdoms to the honour of their sovereign's presence, declared that, by the fundamental laws of the constitution, they could neither acknowledge as king a person who was absent, nor grant him any subsidy; and to this declaration they adhered with an haughty and inflexible obstinacy. Charles, piqued by their behaviour, decided in favour of the people, and rashly authorized them to continue in arms. Their deputies returned in triumph, and were received by their fellow-citizens as the deliverers of their country. The insolence of the multitude increasing with their success, they expelled all the nobles out of the city, committed the government to magistrates of their own election, and entered into an association distinguished by the name of 'germanada' or 'brotherhood,' which proved the source not only of the wildest disorders, but of the most fatal calamities in that kingdom[h]. 1520.

Meanwhile, the kingdom of Castile was agitated with no less violence. No sooner was the emperor's intention to leave Spain made known, than several cities of the first rank resolved to remonstrate against it, and to crave redress once more of those grievances which they had formerly laid before him. Charles artfully avoided admitting their deputies to audience; and as he saw The cortes of Castile summoned to meet in Galicia.

[h] P. Martyr. Ep. 651. Ferreras, viii. 476. 485.

1520. from this circumstance how difficult it would be, at this juncture, to restrain the mutinous spirit of the greater cities, he summoned the cortes of Castile to meet at Compostella, a town in Galicia. His only reason for calling that assembly, was the hope of obtaining another donative; for, as his treasury had been exhausted in the same proportion that the riches of his ministers increased, he could not, without some additional aid, appear in Germany with splendour suited to the imperial dignity. To appoint a meeting of the cortes in so remote a province, and to demand a new subsidy before the time for paying the former was expired, were innovations of a most dangerous tendency; and among a people not only jealous of their liberties, but accustomed to supply the wants of their sovereigns with a very frugal hand, excited an universal alarm. The magistrates of Toledo remonstrated against both these measures in a very high tone; the inhabitants of Valladolid, who expected that the cortes should have been held in that city, were so enraged, that they took arms in a tumultuary manner; and if Charles, with his foreign counsellors, had not fortunately made their escape during a violent tempest, they would have massacred all the Flemings, and have prevented him from continuing his journey towards Compostella.

The proceedings of that assembly.

Every city through which he passed, petitioned against holding a cortes in Galicia, a point with regard to which Charles was inflexible. But though the utmost influence had been exerted by the ministers, in order to procure a choice of representatives favourable to their designs, such was the temper of the nation, that, at the opening of the assembly, there appeared among many of the members unusual symptoms of ill-

April 1. humour, which threatened a fierce opposition to all the measures of the court. No representatives were sent by Toledo; for the lot, according to which, by ancient custom, the election was determined in that city, hav-

ing fallen upon two persons devoted to the Flemish ministers, their fellow-citizens refused to grant them a commission in the usual form, and in their stead made choice of two deputies, whom they empowered to repair to Compostella, and to protest against the lawfulness of the cortes assembled there. The representatives of Salamanca refused to take the usual oath of fidelity, unless Charles consented to change the place of meeting. Those of Toro, Madrid, Cordova, and several other places, declared the demand of another donative to be unprecedented, unconstitutional, and unnecessary. All the arts, however, which influence popular assemblies, bribes, promises, threats, and even force, were employed, in order to gain members. The nobles, soothed by the respectful assiduity with which Chièvres and the other Flemings paid court to them, or instigated by a mean jealousy of that spirit of independence which they saw rising among the commons, openly favoured the pretensions of the court, or at the utmost did not oppose them; and at last, in contempt not only of the sentiments of the nation, but of the ancient forms of the constitution, a majority voted to grant the donative for which the emperor had applied [i]. Together with this grant, the cortes laid before Charles a representation of those grievances whereof his people complained, and in their name craved redress; but he, having obtained from them all that he could expect, paid no attention to this ill-timed petition, which it was no longer dangerous to disregard [k].

1520.

The disaffection of the Castilians increases.

As nothing now retarded his embarkation, he disclosed his intention with regard to the regency of Castile during his absence, which he had hitherto kept secret, and nominated cardinal Adrian to that office. The viceroyalty of Aragon he conferred on don John de Lanuza; that of Valencia on don Diego de Mendoza, conde de Melito. The choice of the two latter

Charles appoints regents during his absence,

[i] P. Martyr. Ep. 663. Sandoval, p. 32, etc.

[k] Sandoval, 84.

1520. was universally acceptable; but the advancement of Adrian, though the only Fleming who had preserved any reputation among the Spaniards, animated the Castilians with new hatred against foreigners; and even the nobles, who had so tamely suffered other inroads upon the constitution, felt the indignity offered to their own order by his promotion, and remonstrated against it as illegal. But Charles's desire of visiting Germany, as well as the impatience of his ministers to leave Spain, were now so much increased, that, without attending to the murmurs of the Castilians, or even taking time to provide any remedy against an insurrection in Toledo, which, at that time, threatened, and afterwards produced, most formidable effects, he sailed from Corunna on the twenty-second of May; and, by setting out so abruptly in quest of a new crown, he endangered a more important one of which he was already in possession[1].

and embarks for the Low Countries.

[1] P. Martyr. Ep. 670. Sandov. 86.

THE HISTORY

OF

THE REIGN OF THE EMPEROR

CHARLES THE FIFTH.

THE SECOND BOOK.

MANY concurring circumstances not only called Charles's thoughts towards the affairs of Germany, but rendered his presence in that country necessary. The electors grew impatient of so long an interregnum; his hereditary dominions were disturbed by intestine commotions; and the new opinions concerning religion made such rapid progress as required the most serious consideration. But, above all, the motions of the French king drew his attention, and convinced him, that it was necessary to take measures for his own defence with no less speed than vigour. 1520. Charles's presence in Germany necessary.

When Charles and Francis entered the lists as candidates for the imperial dignity, they conducted their rivalship with many professions of regard for each other, and with repeated declarations that they would not suffer any tincture of enmity to mingle itself with this honourable emulation. 'We both court the same mistress,' said Francis, with his usual vivacity; 'each ought to urge his suit with all the address of which he is master; the most fortunate will prevail, and the other must rest contented[a].' But though two young Rise and progress of the rivalship between Charles and Francis the first.

[a] Guic. lib. xiii. p. 159.

1520. and high-spirited princes, and each of them animated with the hope of success, might be capable of forming such a generous resolution, it was soon found that they promised upon a moderation too refined and disinterested for human nature. The preference given to Charles in the sight of all Europe mortified Francis extremely, and inspired him with all the passions natural to disappointed ambition. To this was owing the personal jealousy and rivalship which subsisted between the two monarchs during their whole reign; and the rancour of these, augmented by a real opposition of interest, which gave rise to many unavoidable causes of discord, involved them in almost perpetual hostilities. Charles had paid no regard to the principal article in the treaty of Noyon, by refusing oftener than once to do justice to John d'Albret, the excluded monarch of Navarre, whom Francis was bound in honour, and prompted by interest, to restore to his throne. The French king had pretensions to the crown of Naples, of which Ferdinand had deprived his predecessor by a most unjustifiable breach of faith. The emperor might reclaim the dutchy of Milan as a fief of the empire, which Francis had seized, and still kept in possession, without having received investiture of it from the emperor. Charles considered the dutchy of Burgundy as the patrimonial domain of his ancestors, wrested from them by the unjust policy of Louis the eleventh, and observed with the greatest jealousy the strict connexions which Francis had formed with the duke of Gueldres, the hereditary enemy of his family.

Their deliberations previous to the commencement of hostilities.

When the sources of discord were so many and various, peace could be of no long continuance, even between princes the most exempt from ambition or emulation. But as the shock between two such mighty antagonists could not fail of being extremely violent, they both discovered no small solicitude about its consequences, and took time not only to collect and to ponder their own strength, and to compare it with that of

their adversary, but to secure the friendship or assistance of the other European powers. 1520.

The pope had equal reason to dread the two rivals, and saw that he who prevailed, would become absolute master in Italy. If it had been in his power to engage them in hostilities, without rendering Lombardy the theatre of war, nothing would have been more agreeable to him than to see them waste each other's strength in endless quarrels. But this was impossible. Leo foresaw, that, on the first rupture between the two monarchs, the armies of France and Spain would take the field in the Milanese; and while the scene of their operations was so near, and the subject for which they contended so interesting to him, he could not long remain neuter. He was obliged, therefore, to adapt his plan of conduct to his political situation. He courted and soothed the emperor and king of France with equal industry and address. Though warmly solicited by each of them to espouse his cause, he assumed all the appearances of entire impartiality, and attempted to conceal his real sentiments under that profound dissimulation which seems to have been affected by most of the Italian politicians in that age. They negotiate with the pope;

The views and interest of the Venetians were not different from those of the pope; nor were they less solicitous to prevent Italy from becoming the seat of war, and their own republic from being involved in the quarrel. But through all Leo's artifices, and notwithstanding his high pretensions to a perfect neutrality, it was visible that he leaned towards the emperor, from whom he had both more to fear and more to hope than from Francis; and it was equally manifest, that if it became necessary to take a side, the Venetians would, from motives of the same nature, declare for the king of France. No considerable assistance, however, was to be expected from the Italian states, who were jealous to an extreme degree of the Transalpine powers, and careful to preserve the balance even between them, with the Venetians;

1520. unless when they were seduced to violate this favourite maxim of their policy, by the certain prospect of some great advantage to themselves.

with Henry the eighth.

But the chief attention both of Charles and of Francis, was employed in order to gain the king of England, from whom each of them expected assistance more effectual, and afforded with less political caution. Henry the eighth had ascended the throne of that kingdom in the year one thousand five hundred and nine, with such circumstances of advantage as promised a reign of distinguished felicity and splendour. The union in his person of the two contending titles of York and Lancaster; the alacrity and emulation with which both factions obeyed his commands, not only enabled him to exert a degree of vigour and authority in his domestic government which none of his predecessors could have safely assumed; but permitted him to take a share in the affairs of the continent, from which the attention of the English had long been diverted by their unhappy intestine divisions. The great sums of money which his father had amassed, rendered him the most wealthy prince in Europe. The peace which had subsisted under the cautious administration of that monarch, had been of sufficient length to recruit the population of the kingdom after the desolation of the civil wars, but not so long as to enervate its spirit; and the English, ashamed of having rendered their own country so long a scene of discord and bloodshed, were eager to display their valour in some foreign war, and to revive the memory of the victories gained on the continent by their ancestors. Henry's own temper perfectly suited the state of his kingdom, and the disposition of his subjects. Ambitious, active, enterprising, and accomplished in all the martial exercises which in that age formed a chief part in the education of persons of noble birth, and inspired them with an early love of war, he longed to engage in action, and to signalize the beginning of his reign by some remarkable exploit. An

The great power of that monarch.

Character of Henry,

1513.

opportunity soon presented itself; and the victory at Guinegate, together with the successful sieges of Terouenne and Tournay, though of little utility to England, reflected great lustre on its monarch, and confirmed the idea which foreign princes entertained of his power and consequence. So many concurring causes, added to the happy situation of his own dominions, which secured them from foreign invasion; and to the fortunate circumstance of his being in possession of Calais, which served not only as a key to France, but opened an easy passage into the Netherlands, rendered the king of England the natural guardian of the liberties of Europe, and the arbiter between the emperor and French monarch. Henry himself was sensible of this singular advantage, and convinced, that, in order to preserve the balance even, it was his office to prevent either of the rivals from acquiring such superiority of power as might be fatal to the other, or formidable to the rest of christendom. But he was destitute of the penetration, and still more of the temper, which such a delicate function required. Influenced by caprice, by vanity, by resentment, by affection, he was incapable of forming any regular and extensive system of policy, or of adhering to it with steadiness. His measures seldom resulted from attention to the general welfare, or from a deliberate regard to his own interest, but were dictated by passions which rendered him blind to both, and prevented his gaining that ascendant in the affairs of Europe, or from reaping such advantages to himself, as a prince of greater art, though with inferior talents, might have easily secured. 1520.

All the impolitic steps in Henry's administration must not, however, be imputed to defects in his own character; many of them were owing to the violent passions and insatiable ambition of his prime minister and favourite, cardinal Wolsey. This man, from one of the lowest ranks in life, had risen to an height of power and dignity, to which no English subject ever arrived; and of his minister cardinal Wolsey.

1520. and governed the haughty, presumptuous, and untractable spirit of Henry with absolute authority. Great talents, and of very different kinds, fitted him for the two opposite stations of minister, and of favourite. His profound judgment, his unwearied industry, his thorough acquaintance with the state of the kingdom, his extensive knowledge of the views and interest of foreign courts, qualified him for that uncontrolled direction of affairs with which he was intrusted. The elegance of his manners, the gaiety of his conversation, his insinuating address, his love of magnificence, and his proficiency in those parts of literature of which Henry was fond, gained him the affection and confidence of the young monarch. Wolsey was far from employing this vast and almost royal power, to promote either the true interest of the nation, or the real grandeur of his master. Rapacious at the same time, and profuse, he was insatiable in desiring wealth. Of boundless ambition, he aspired after new honours with an eagerness unabated by his former success; and being rendered presumptuous by his uncommon elevation, as well as by the ascendant which he had gained over a prince, who scarcely brooked advice from any other person, he discovered in his whole demeanour the most overbearing haughtiness and pride. To these passions he himself sacrificed every consideration; and whoever endeavoured to obtain his favour, or that of his master, found it necessary to sooth and to gratify them.

The court paid to Wolsey by Francis,

As all the states of Europe sought Henry's friendship at that time, all courted his minister with incredible attention and obsequiousness, and strove by presents, by promises, or by flattery, to work upon his avarice, his ambition, or his pride[b]. Francis had, in the year one thousand five hundred and eighteen, employed Bonnivet, admiral of France, one of his most accomplished and artful courtiers, to gain this haughty

[b] Fiddes's Life of Wolsey, 166. Rymer's Fœdera, xiii. 718.

prelate. He himself bestowed on him every mark of respect and confidence. He consulted him with regard to his most important affairs, and received his responses with implicit deference. By these arts, together with the grant of a large pension, Francis attached the cardinal to his interest, who persuaded his master to surrender Tournay to France, to conclude a treaty of marriage between his daughter the princess Mary and the dauphin, and to consent to a personal interview with the French king[c]. From that time, the most familiar intercourse subsisted between the two courts; Francis, sensible of the great value of Wolsey's friendship, laboured to secure the continuance of it by every possible expression of regard, bestowing on him, in all his letters, the honourable appellations of father, tutor, and governor. 1520.

Charles observed the progress of this union with the utmost jealousy and concern. His near affinity to the king of England gave him some title to his friendship; and soon after his accession to the throne of Castile, he had attempted to ingratiate himself with Wolsey, by settling on him a pension of three thousand livres. His chief solicitude at present was to prevent the intended interview with Francis, the effects of which upon two young princes, whose hearts were no less susceptible of friendship, than their manners were capable of inspiring it, he extremely dreaded. But after many delays, occasioned by difficulties with respect to the ceremonial, and by the anxious precautions of both courts for the safety of their respective sovereigns, the time and place of meeting were at last fixed. Messengers had been sent to different courts, inviting all comers, who were gentlemen, to enter the lists at tilt and tournament, against the two monarchs and their knights. Both Francis and Henry loved the splendour of these spectacles too well, and were too much delighted with and by Charles.

[c] Herbert's Hist. of Henry the Eighth, 30. Rymer, xiii. 624.

1520. the graceful figure which they made on such occasions, to forego the pleasure or glory which they expected from such a singular and brilliant assembly. Nor was the cardinal less fond of displaying his own magnificence in the presence of two courts, and of discovering to the two nations the extent of his influence over both their monarchs. Charles, finding it impossible to prevent the interview, endeavoured to disappoint its effects, and to preoccupy the favour of the English monarch and his minister by an act of complaisance still more flattering and more uncommon. Having sailed from Corunna, as has already been related, he steered his course directly towards England, and, relying wholly on Henry's generosity for his own safety, landed at Dover. This unexpected visit surprised the nation. Wolsey, however, was well acquainted with the emperor's intention. A negotiation, unknown to the historians of that age, had been carried on between him and the court of Spain; this visit had been concerted; and Charles granted the cardinal, whom he calls his 'most dear friend,' an additional pension of seven thousand ducats[d]. Henry, who was then at Canterbury, in his way to France, immediately despatched Wolsey to Dover, in order to welcome the emperor; and, being highly pleased with an event so soothing to his vanity, hastened to receive, with suitable respect, a guest who had placed in him such unbounded confidence. Charles, to whom time was precious, staid only four days in England; but, during that short space, he had the address not only to give Henry favourable impressions of his character and intentions, but to detach Wolsey entirely from the interest of the French king. All the grandeur, the wealth, and the power, which the cardinal possessed, did not satisfy his ambitious mind, while there was one step higher to which an ecclesiastic could ascend. The papal dignity had for some time

Charles visits England, May 26.

Insinuates himself into favour both with the king and Wolsey.

[d] Rymer, xiii. 714.

been the object of his wishes, and Francis, as the most effectual method of securing his friendship, had promised to favour his pretensions, on the first vacancy, with all his interest. But as the emperor's influence in the college of cardinals was greatly superior to that of the French king, Wolsey grasped eagerly at the offer which that artful prince had made him, of exerting it vigorously in his behalf; and allured by this prospect, which, under the pontificate of Leo, still in the prime of his life, was a very distant one, he entered with warmth into all the emperor's schemes. No treaty, however, was concluded at that time between the two monarchs; but Henry, in return for the honour which Charles had done him, promised to visit him in some place of the Low Countries, immediately after taking leave of the French king. 1520.

His interview with that prince was in an open plain between Guisnes and Ardres, where the two kings and their attendants displayed their magnificence with such emulation, and profuse expense, as procured it the name of the 'field of the cloth of gold.' Feats of chivalry, parties of gallantry, together with such exercises and pastimes as were in that age reckoned manly or elegant, rather than serious business, occupied both courts during eighteen days that they continued together[e]. Whatever impression the engaging manners of June 7th. Interview between Henry and Francis.

[e] The French and English historians describe the pomp of this interview, and the various spectacles, with great minuteness. One circumstance mentioned by the maréschal de Fleuranges, who was present, and which must appear singular in the present age, is commonly omitted. "After the tournament," says he, "the French and English wrestlers made their appearance, and wrestled in presence of the kings, and the ladies; and as there were many stout wrestlers there, it afforded excellent pastime; but as the king of France had neglected to bring any wrestlers out of Bretagne, the English gained the prize.——After this, the kings of France and England retired to a tent, where they drank together, and the king of England, seizing the king of France by the collar, said 'My brother, I must wrestle with you,' and endeavoured once or twice to trip up his heels; but the king of France, who is a dexterous wrestler, twisted him round, and threw him on the earth with prodigious violence. The king of England wanted

1520. Francis, or the liberal and unsuspicious confidence with which he treated Henry, made on the mind of that monarch, was soon effaced by Wolsey's artifices, or by an interview he had with the emperor at Gravelines; July 10. which was conducted with less pomp than that near Guisnes, but with greater attention to what might be of political utility.

Henry's ideas of his own importance. This assiduity, with which the two greatest monarchs in Europe paid court to Henry, appeared to him a plain acknowledgment that he held the balance in his hands, and convinced him of the justness of the motto which he had chosen, 'That whoever he favoured would prevail.' In this opinion he was confirmed by an offer which Charles made, of submitting any difference that might arise between him and Francis to his sole arbitration. Nothing could have the appearance of greater candour and moderation, than the choice of a judge who was reckoned the common friend of both. But as the emperor had now attached Wolsey entirely to his interest, no proposal could be more insidious, nor, as appeared by the sequel, more fatal to the French king[f].

Coronation of the emperor, Charles, notwithstanding his partial fondness for the Netherlands, the place of his nativity, made no long stay there; and, after receiving the homage and congratulations of his countrymen, hastened to Aix-la-Chapelle, the place appointed by the golden bull for the Oct. 23. coronation of the emperor. There, in presence of an assembly more numerous and splendid than had appeared on any former occasion, the crown of Charlemagne was placed on his head, with all the pompous solemnity which the Germans affect in their public ceremonies, and which they deem essential to the dignity of their empire[g].

to renew the combat, but was prevented." Mémoires de Fleuranges, 12mo. Paris, 1753, p. 329.

[f] Herbert, 37.

[g] Hartman. Mauri Relatio Coronat. Car. V. ap. Goldast. Polit. Imperial. Franc. 1614, fol. p. 264.

Almost at the same time Solyman the magnificent, one of the most accomplished, enterprising, and victorious of the Turkish sultans, a constant and formidable rival to the emperor, ascended the Ottoman throne. It was the peculiar glory of that period to produce the most illustrious monarchs, who have at any one time appeared in Europe. Leo, Charles, Francis, Henry, and Solyman, were each of them possessed of talents which might have rendered any age, wherein they happened to flourish, conspicuous. But such a constellation of great princes shed uncommon lustre on the sixteenth century. In every contest, great power as well as great abilities were set in opposition; the efforts of valour and conduct on one side, counterbalanced by an equal exertion of the same qualities on the other, not only occasioned such a variety of events as renders the history of that period interesting, but served to check the exorbitant progress of any of those princes, and to prevent their attaining such preeminence in power as would have been fatal to the liberty and happiness of mankind. 1520. Solyman the magnificent ascends the Ottoman throne.

The first act of the emperor's administration was to appoint a diet of the empire to be held at Worms on the sixth of January, one thousand five hundred and twenty-one. In his circular letters to the different princes, he informed them that he had called this assembly in order to concert with them the most proper measures for checking the progress of those new and dangerous opinions, which threatened to disturb the peace of Germany, and to overturn the religion of their ancestors. Diet called to meet at Worms.

Charles had in view the opinions which had been propagated by Luther and his disciples since the year one thousand five hundred and seventeen. As these led to that happy reformation in religion which rescued one part of Europe from the papal yoke, mitigated its rigour in the other, and produced a revolution in the sentiments of mankind, the greatest, as well as the most Rise of the reformation;

1520. beneficial, that has happened since the publication of christianity, not only the events which at first gave birth to such opinions, but the causes which rendered their progress so rapid and successful, deserve to be considered with minute attention.

To overturn a system of religious belief, founded on ancient and deep-rooted prejudices, supported by power, and defended with no less art than industry; to establish in its room doctrines of the most contrary genius and tendency; and to accomplish all this, not by external violence or the force of arms, are operations which historians, the least prone to credulity and superstition, ascribe to that divine providence, which, with infinite ease, can bring about events which to human sagacity appear impossible. The interposition of heaven in favour of the christian religion, at its first publication, was manifested by miracles and prophecies wrought and uttered in confirmation of it. Though none of the reformers possessed, or pretended to possess, these supernatural gifts; yet that wonderful preparation of circumstances, which disposed the minds of men for receiving their doctrines; that singular combination of causes, which secured their success, and enabled men destitute of power and of policy to triumph over those who employed against them extraordinary efforts of both, may be considered as no slight proof, that the same hand which planted the christian religion, protected the reformed faith, and reared it from beginnings extremely feeble, to an amazing degree of vigour and maturity.

from inconsiderable beginnings.

It was from causes seemingly fortuitous, and from a source very inconsiderable, that all the mighty effects of the reformation flowed. Leo the tenth, when raised to the papal throne, found the revenues of the church exhausted by the vast projects of his two ambitious predecessors, Alexander the sixth and Julius the second. His own temper, naturally liberal and enterprising, rendered him incapable of that severe and

patient economy which the situation of his finances required. On the contrary, his schemes for aggrandizing the family of Medici, his love of splendour, his taste for pleasure, and his magnificence in rewarding men of genius, involved him daily in new expenses; in order to provide a fund for which, he tried every device, that the fertile invention of priests had fallen upon, to drain the credulous multitude of their wealth. Among others, he had recourse to a sale of 'indulgences.' According to the doctrine of the Romish church, all the good works of the saints, over and above those which were necessary towards their own justification, are deposited, together with the infinite merits of Jesus Christ, in one inexhaustible treasury. The keys of this were committed to St. Peter, and to his successors the popes, who may open it at pleasure, and, by transferring a portion of this superabundant merit to any particular person for a sum of money, may convey to him either the pardon of his own sins, or a release for any one in whose happiness he is interested, from the pains of purgatory. Such indulgences were first invented in the eleventh century by Urban the second, as a recompense for those who went in person upon the meritorious enterprise of conquering the Holy Land. They were afterwards granted to those who hired a soldier for that purpose; and in process of time were bestowed on such as gave money for accomplishing any pious work enjoined by the pope [h]. Julius the second had bestowed indulgences on all who contributed towards building the church of St. Peter at Rome; and as Leo was carrying on that magnificent and expensive fabric, his grant was founded on the same pretence [i].

1520.

A sale of indulgences published by Leo the tenth,

The right of promulgating these indulgences in Germany, together with a share in the profits arising from the sale of them, was granted to Albert, elector of

[h] History of the Council of Trent, by F. Paul, p. 4.
[i] Palavic. Hist. Conc. Trident. p. 4.

1520. Metz and archbishop of Magdeburg, who, as his chief agent for retailing them in Saxony, employed Tetzel, a dominican friar, of licentious morals, but of an active spirit, and remarkable for his noisy and popular eloquence. He, assisted by the monks of his order, executed the commission with great zeal and success, but with little discretion or decency; and though, by magnifying excessively the benefit of their indulgences [k],

so conducted as to give general offence.

[k] As the form of these indulgences, and the benefits which they were supposed to convey, are unknown in protestant countries, and little understood, at present, in several places where the Roman catholic religion is established, I have, for the information of my readers, translated the form of absolution used by Tetzel: "May our Lord Jesus Christ have mercy upon thee, and absolve thee by the merits of his most holy passion. And I, by his authority, that of his blessed apostles Peter and Paul, and of the most holy pope, granted and committed to me in these parts, do absolve thee, first from all ecclesiastical censures, in whatever manner they have been incurred, and then from all thy sins, transgressions, and excesses, how enormous soever they may be, even from such as are reserved for the cognizance of the holy see; and as far as the keys of the holy church extend, I remit to you all punishment which you deserve in purgatory on their account; and I restore you to the holy sacraments of the church, to the unity of the faithful, and to that innocence and purity which you possessed at baptism; so that, when you die, the gates of punishment shall be shut, and the gates of the paradise of delight shall be opened; and if you shall not die at present, this grace shall remain in full force when you are at the point of death. In the name of the Father, and of the Son, and of the Holy Ghost." Seckend. Comment. lib. i. p. 14.

The terms in which Tetzel and his associates described the benefits of indulgences, and the necessity of purchasing them, are so extravagant, that they appear to be almost incredible. If any man, said they, purchase letters of indulgence, his soul may rest secure with respect to its salvation. The souls confined in purgatory, for whose redemption indulgences are purchased, as soon as the money tinkles in the chest, instantly escape from that place of torment, and ascend into heaven. That the efficacy of indulgences was so great, that the most heinous sins, even if one should violate, which was impossible, the mother of God, would be remitted and expiated by them, and the person be freed both from punishment and guilt. That this was the unspeakable gift of God, in order to reconcile men to himself. That the cross erected by the preachers of indulgences was as efficacious as the cross of Christ itself. Lo! the heavens are open; if you enter not now, when will you enter? For twelve pence you may redeem the soul of your father out of purgatory; and are you so ungrateful, that you will not rescue your parent from torment? If you had but one coat, you ought to strip yourself instantly, and sell it, in order to purchase such benefits, etc.

and by disposing of them at a very low price, they carried on, for some time, an extensive and lucrative traffic among the credulous and the ignorant; the extravagance of their assertions, as well as the irregularities in their conduct, came at last to give general offence. The princes and nobles were irritated at seeing their vassals drained of so much wealth, in order to replenish the treasury of a profuse pontiff. Men of piety regretted the delusion of the people, who, being taught to rely for the pardon of their sins on the indulgences which they purchased, did not think it incumbent on them either to study the doctrines taught by genuine christianity, or to practise the duties which it enjoins. Even the most unthinking were shocked at the scandalous behaviour of Tetzel and his associates, who often squandered in drunkenness, gaming, and low debauchery, those sums which were piously bestowed in hopes of obtaining eternal happiness; and all began to wish that some check were given to this commerce, no less detrimental to society than destructive to religion. 1520.

First appearance of Luther, and his character.

Such was the favourable juncture, and so disposed were the minds of his countrymen to listen to his discourses, when Martin Luther first began to call in question the efficacy of indulgences, and to declaim against the vitious lives and false doctrines of the persons employed in promulgating them. Luther was a native of Eisleben in Saxony, and, though born of poor parents, had received a learned education, during the progress of which he gave many indications of uncommon vigour and acuteness of genius. His mind was naturally susceptible of serious sentiments, and tinctured with somewhat of that religious melancholy which delights in the solitude and devotion of a monastic life.

These, and many such extravagant expressions, are selected out of Luther's works by Chemnitius in his Examen Concilii Tridentini, apud Herm. Von der Hardt. Hist. Liter. Reform. pars iv. p. 6. The same author has published several of Tetzel's discourses, which prove that these expressions were neither singular nor exaggerated. Ibid. p. 14.

1520. The death of a companion killed by lightning at his side in a violent thunderstorm, made such an impression on his mind, as cooperated with his natural temper, in inducing him to retire into a convent of augustinian friars, where, without suffering the entreaties of his parents to divert him from what he thought his duty to God, he assumed the habit of that order. He soon acquired great reputation, not only for piety, but for his love of knowledge, and his unwearied application to study. He had been taught the scholastic philosophy and theology, which were then in vogue, by very able masters, and wanted not penetration to comprehend all the niceties and distinctions with which they abound; but his understanding, naturally sound, and superior to every thing frivolous, soon became disgusted with those subtile and uninstructive sciences, and sought for some more solid foundation of knowledge and of piety in the holy scriptures. Having found a copy of the bible, which lay neglected in the library of his monastery, he abandoned all other pursuits, and devoted himself to the study of it, with such eagerness and assiduity, as astonished the monks, who were little accustomed to derive their theological notions from that source. The great progress which he made in this uncommon course of study, augmented so much the fame both of his sanctity and of his learning, that Frederic, elector of Saxony, having founded an university at Wittemberg on the Elbe, the place of his residence, Luther was chosen first to teach philosophy, and afterwards theology there; and discharged both offices in such a manner, that he was deemed the chief ornament of that society.

He opposes the sale of indulgences.

While Luther was at the height of his reputation and authority, Tetzel began to publish indulgences in the neighbourhood of Wittemberg, and to ascribe to them the same imaginary virtues, which had, in other places, imposed on the credulity of the people. As Saxony was not more enlightened than the other pro-

vinces of Germany, Tetzel met with prodigious success there. It was with the utmost concern, that Luther beheld the artifices of those who sold, and the simplicity of those who bought, indulgences. The opinions of Thomas Aquinas and the other schoolmen, on which the doctrine of indulgences was founded, had already lost much of their authority with him; and the scriptures, which he began to consider as the great standard of theological truth, afforded no countenance to a practice, equally subversive of faith and of morals. His warm and impetuous temper did not suffer him long to conceal such important discoveries, or to continue a silent spectator of the delusion of his countrymen. From the pulpit, in the great church of Wittemberg, he inveighed bitterly against the irregularities and vices of the monks who published indulgences; he ventured to examine the doctrines which they taught, and pointed out to the people the danger of relying for salvation upon any other means than those appointed by God in his word. The boldness and novelty of these opinions drew great attention; and being recommended by the authority of Luther's personal character, and delivered with a popular and persuasive eloquence, they made a deep impression on his hearers. Encouraged by the favourable reception of his doctrines among the people, he wrote to Albert, elector of Metz and archbishop of Magdeburg, to whose jurisdiction that part of Saxony was subject, and remonstrated warmly against the false opinions, as well as wicked lives, of the preachers of indulgences; but he found that prelate too deeply interested in their success to correct their abuses. His next attempt was to gain the suffrage of men of learning. For this purpose he published ninety-five theses, containing his sentiments with regard to indulgences. These he proposed not as points fully established, or of undoubted certainty, but as subjects of inquiry and disputation; he appointed a day, on which the learned were invited to

1520.

He publishes his theses against them.

1520. impugn them, either in person or by writing; to the whole he subjoined solemn protestations of the high respect for the apostolic see, and of his implicit submission to its authority. No opponent appeared at the time prefixed; the theses spread over Germany with astonishing rapidity; they were read with the greatest eagerness; and all admired the boldness of the man, who had ventured not only to call in question the plenitude of papal power, but to attack the dominicans, armed with all the terrours of inquisitorial authority [1].

Supported by his own order.

The friars of St. Augustine, Luther's own order, though addicted with no less obsequiousness than the other monastic fraternities to the papal see, gave no check to the publication of these uncommon opinions. Luther had, by his piety and learning, acquired extraordinary authority among his brethren; he professed the highest regard for the authority of the pope; his professions were at that time sincere; and as a secret enmity, excited by interest or emulation, subsists among all the monastic orders in the Romish church, the augustinians were highly pleased with his invectives against the dominicans, and hoped to see them exposed to the hatred and scorn of the people. Nor was his sovereign, the elector of Saxony, the wisest prince at that time in Germany, dissatisfied with this obstruction which Luther threw in the way of the publication of indulgences. He secretly encouraged the attempt, and flattered himself that this dispute among the ecclesiastics themselves, might give some check to the exactions of the court of Rome, which the secular princes had long, though without success, been endeavouring to oppose.

Many endeavour to confute him.

Many zealous champions immediately arose to defend opinions on which the wealth and power of the

[1] Lutheri Opera, Jenæ, 1612, vol. i. præfat. 3. p. 2. 66. Hist. of Counc. of Trent by F. Paul, p. 4. Seckend. Com. Apol. p. 16.

church were founded, against Luther's attacks. In opposition to his theses, Tetzel published counter-theses at Francfort on the Oder; Eccius, a celebrated divine of Augsburg, endeavoured to refute Luther's notions; and Prierias, a dominican friar, master of the sacred palace and inquisitor-general, wrote against him with all the virulence of a scholastic disputant. But the manner in which they conducted the controversy, did little service to their cause. Luther attempted to combat indulgences by arguments founded in reason, or derived from scripture; they produced nothing in support of them but the sentiments of schoolmen, the conclusions of the canon law, and the decrees of popes[m]. The decision of judges so partial and interested, did not satisfy the people, who began to call in question the authority even of these venerable guides, when they found them standing in direct opposition to the dictates of reason, and the determinations of the divine law[n]*. 1520.

[m] F. Paul. p. 6. Seckend. p. 40. Palavic. p. 8. [n] Seckend. p. 30.

* Guicciardini has asserted two things with regard to the first promulgation of indulgences: 1. That Leo bestowed a gift of the profits arising from the sale of indulgences in Saxony, and the adjacent provinces of Germany, upon his sister Magdalen, the wife of Francescetto Cibo. Guic. lib. xiii. 168. 2. That Arcemboldo, a Genoese ecclesiastic, who had been bred a merchant, and still retained all the activity and address of that profession, was appointed by her to collect the money which should be raised. F. Paul has followed him in both these particulars, and adds, that the augustinians in Saxony had been immemorially employed in preaching indulgences; but that Arcemboldo and his deputies, hoping to gain more by committing this trust to the dominicans, had made their bargain with Tetzel, and that Luther was prompted at first to oppose Tetzel and his associates, by a desire of taking revenge for this injury offered to his order. F. Paul, p. 5. Almost all historians since their time, popish as well as protestant, have, without examination, admitted these assertions to be true upon their authority. But notwithstanding the concurring testimony of two authors, so eminent both for exactness and veracity, we may observe,

1. That Felix Contolori, who searched the pontifical archives for the purpose, could not find this pretended grant to Leo's sister in any of those registers where it must necessarily have been recorded. Palav. p. 5.— 2. That the profits arising from indulgences in Saxony and the adjacent countries, had been granted not to Magdalen, but to Albert, archbishop of

1520. Meanwhile, these novelties in Luther's doctrines which interested all Germany, excited little attention and no alarm in the court of Rome. Leo, fond of elegant and refined pleasures, intent upon great schemes of policy, a stranger to theological controversies, and apt to despise them, regarded with the utmost indifference, the operations of an obscure friar, who, in the heart of Germany, carried on a scholastic disputation in a barbarous style. Little did he apprehend, or Luther himself dream, that the effects of this quarrel would be so fatal to the papal see. Leo imputed the whole to monastic enmity and emulation, and seemed inclined not to interpose in the contest, but to allow the augustinians and dominicans to wrangle about the matter with their usual animosity.

The court of Rome at first disregarded Luther.

The solicitations, however, of Luther's adversaries,

Mentz, who had the right of nominating those who published them. Seck. p. 12. Luth. Oper. i. præf. p. i. Palav. p. 6.—3. That Arcemboldo never had concern in the publication of indulgences in Saxony; his district was Flanders and the Upper and Lower Rhine. Seck. p. 14. Palav. p. 6.—4. That Luther and his adherents never mentioned this grant of Leo's to his sister, though a circumstance of which they could hardly have been ignorant, and which they would have been careful not to suppress.—5. The publication of indulgences in Germany was not usually committed to the augustinians. The promulgation of them, at three different periods under Julius the second, was granted to the franciscans; the dominicans had been employed in the same office a short time before the present period. Palav. p. 46.—6. The promulgation of those indulgences, which first excited Luther's indignation, was intrusted to the archbishop of Mentz, in conjunction with the guardian of the franciscans; but the latter having declined accepting of that trust, the sole right became vested in the archbishop. Palav. 6. Seck. 16, 17.—7. Luther was not instigated by his superiors among the augustinians to attack the dominicans their rivals, or to depreciate indulgences because they were promulgated by them; his opposition to their opinions and vices proceeded from more laudable motives. Seck. p. 15. 32. Lutheri Opera, i. p. 64. 6. 8. A diploma of indulgences is published by Herm. Von der Hardt, from which it appears, that the name of the guardian of the franciscans is retained together with that of the archbishop, although the former did not act. The limits of the country to which their commissions extended, viz. the diocese of Mentz, Magdeburg, Halberstadt, and the territories of the marquis of Brandenburg, are mentioned in that diploma. Hist. Literaria, Reformat. pars iv. p. 14.

who were exasperated to an high degree by the boldness and severity with which he animadverted on their writings, together with the surprising progress which his opinions made in different parts of Germany, roused at last the attention of the court of Rome, and obliged Leo to take measures for the security of the church against an attack that now appeared too serious to be despised. For this end, he summoned Luther to appear at Rome, within sixty days, before the auditor of the chamber, and the inquisitor-general Prierias, who had written against him, whom he empowered jointly to examine his doctrines, and to decide concerning them. He wrote, at the same time, to the elector of Saxony, beseeching him not to protect a man whose heretical and profane tenets were so shocking to pious ears; and enjoined the provincial of the augustinians to check, by his authority, the rashness of an arrogant monk, which brought disgrace upon the order of St. Augustine, and gave offence and disturbance to the whole church.

1520.

The progress of Luther's opinions.

He is summoned to appear at Rome. July, 1518.

From the strain of these letters, as well as from the nomination of a judge so prejudiced and partial as Prierias, Luther easily saw what sentence he might expect at Rome. He discovered, for that reason, the utmost solicitude to have his cause tried in Germany, and before a less-suspected tribunal. The professors in the university of Wittemberg, anxious for the safety of a man who did so much honour to their society, wrote to the pope; and, after employing several pretexts to excuse Luther from appearing at Rome, entreated Leo to commit the examination of his doctrines to some persons of learning and authority in Germany. The elector requested the same thing of the pope's legate at the diet of Augsburg; and as Luther himself, who, at that time, was so far from having any intention to disclaim the papal authority, that he did not even entertain the smallest suspicion concerning its divine original, had written to Leo a most submissive letter,

The pope empowers his legate to try him in Germany.

1520. promising an unreserved compliance with his will; the pope gratified them so far as to empower his legate in Germany, cardinal Cajetan, a dominican, eminent for scholastic learning, and passionately devoted to the Roman see, to hear and determine the cause.

Luther appears before the legate.

Luther, though he had good reason to decline a judge chosen among his avowed adversaries, did not hesitate about appearing before Cajetan; and, having obtained the emperor's safe-conduct, immediately repaired to Augsburg. The cardinal received him with decent respect, and endeavoured at first to gain upon him by gentle treatment. The cardinal, relying on the superiority of his own talents as a theologian, entered into a formal dispute with Luther concerning the doctrines contained in his theses*. But the weapons which they employed were so different, Cajetan appealing to papal decrees, and the opinions of schoolmen, and Luther resting entirely on the authority of scripture, that the contest was altogether fruitless. The cardinal relinquished the character of a disputant, and, assuming that of a judge, enjoined Luther, by virtue of the apostolic powers with which he was cloathed, to retract the errours which he had uttered with regard to indulgences, and the nature of faith; and to abstain, for the future, from the publication of new and dangerous opinions. Luther, fully persuaded of the truth of his own tenets, and confirmed in the belief of them by the approbation which they had met with among persons conspicuous both for learning and piety, was surprised at this abrupt mention of a recantation, before any endeavours were used to convince him that he was mistaken. He had flattered himself, that, in a conference concerning the points in dispute with a prelate of such distinguished abilities, he should

* In the former editions I asserted, upon the authority of father Paul, that Cajetan thought it beneath his dignity to enter into any dispute with Luther; but M. Beausobre, in his Histoire de la Réformation, vol. i. p. 121, etc. has satisfied me that I was mistaken. See also Seckend. lib. i. p. 46, etc.

be able to remove many of those imputations with which the ignorance or malice of his antagonists had loaded him; but the high tone of authority that the cardinal assumed, extinguished at once all hopes of this kind, and cut off every prospect of advantage from the interview. His native intrepidity of mind, however, did not desert him. He declared, with the utmost firmness, that he could not, with a safe conscience, renounce opinions which he believed to be true; nor should any consideration ever induce him to do what would be so base in itself, and so offensive to God. At the same time, he continued to express no less reverence than formerly for the authority of the apostolic see[o]; he signified his willingness to submit the whole controversy to certain universities which he named, and promised neither to write nor to preach concerning indulgences for the future, provided his adversaries were likewise enjoined to be silent with respect to them[p]. All these offers Cajetan disregarded or rejected, and still insisted peremptorily on a simple recantation, threatening him with ecclesiastical censures, and forbidding him to appear again in his presence, unless he resolved instantly to comply with what he had required. This haughty and violent manner of proceeding, as well as other circumstances, gave Luther's friends such strong reasons to suspect, that even the imperial safe-conduct would not be able to protect him from the legate's power and resentment, that they prevailed on him to withdraw secretly from Augsburg, and to return to his own country. But before his departure, according to a form of which there had been some examples, he prepared a solemn appeal from the pope, ill-informed at that time concerning his cause, to the pope, when he should receive more full information with respect to it[q].

1520.

His intrepid behaviour.

His appeal, Oct. 18.

[o] Luth. Oper. vol. i. p. 164. [p] Ibid. p. 160.

[q] Sleid. Hist. of Reform. p. 7. Seckend. p. 45. Luth. Oper. i. 163.

1520. Cajetan, enraged at Luther's abrupt retreat, and at the publication of his appeal, wrote to the elector of Saxony, complaining of both; and requiring him, as he regarded the peace of the church, or the authority of its head, either to send that seditious monk a prisoner to Rome, or to banish him out of his territories. It was not from theological considerations that Frederic had hitherto countenanced Luther; he seems to have been much a stranger to controversies of that kind, and to have been little interested in them. His protection flowed almost entirely, as hath been already observed, from political motives, and was afforded with great secrecy and caution. He had neither heard any of Luther's discourses, nor read any of his books; and though all Germany resounded with his fame, he had never once admitted him into his presence[r]. But upon this demand which the cardinal made, it became necessary to throw off somewhat of his former reserve. He had been at great expense, and had bestowed much attention, on founding a new university, an object of considerable importance to every German prince; and foreseeing how fatal a blow the removal of Luther would be to its reputation[s], he, under various pretexts, and with many professions of esteem for the cardinal, as well as of reverence for the pope, not only declined complying with either of his requests, but openly discovered great concern for Luther's safety[t].

He is supported by the elector of Saxony.

Motives of the legate's conduct.

The inflexible rigour with which Cajetan insisted on a simple recantation, gave great offence to Luther's followers in that age, and hath since been censured as imprudent, by several popish writers. But it was impossible for the legate to act another part. The judges before whom Luther had been required to appear at Rome, were so eager to display their zeal against his errours, that, without waiting for the expiration of sixty

[r] Seckend. p. 27. Sleid. Hist. p. 12.
[s] Seckend. p. 59.
[t] Sleid. Hist. p. 10. Luth. Oper. i. 172.

days allowed him in the citation, they had already condemned him as an heretic [u]. Leo had, in several of his briefs and letters, stigmatized him as a child of iniquity, and a man given up to a reprobate sense. Nothing less, therefore, than a recantation could save the honour of the church, whose maxim it is, never to abandon the smallest point that it has established, and which is even precluded, by its pretensions to infallibility, from having it in its power to do so. 1520.

Luther's situation, at this time, was such as would have filled any other person with the most disquieting apprehensions. He could not expect that a prince so prudent and cautious as Frederic, would, on his account, set at defiance the thunders of the church, and brave the papal power, which had crushed some of the most powerful of the German emperors. He knew what veneration was paid, in that age, to ecclesiastical decisions; what terrours ecclesiastical censures carried along with them; and how easily these might intimidate and shake a prince, who was rather his protector from policy, than his disciple from conviction. If he should be obliged to quit Saxony, he had no prospect of any other asylum, and must stand exposed to whatever punishment the rage or bigotry of his enemies could inflict. Though sensible of his danger, he discovered no symptoms of timidity or remissness, but continued to vindicate his own conduct and opinions, and to inveigh against those of his adversaries with more vehemence than ever [x]. Luther's perilous situation.

But as every step taken by the court of Rome, particularly the irregular sentence by which he had been so precipitately declared an heretic, convinced Luther that Leo would soon proceed to the most violent measures against him, he had recourse to the only expedient in his power, in order to prevent the effect of the papal censures. He appealed to a general council, He appeals to a general council.

[u] Luther. Oper. i. 161.

[x] Seckend. p. 59.

1520. which he affirmed to be the representative of the catholic church, and superior in power to the pope, who, being a fallible man, might err, as St. Peter, the most perfect of his predecessors, had erred[y].

A new bull in favour of indulgences.

It soon appeared, that Luther had not formed rash conjectures concerning the intentions of the Romish church. A bull, of a date prior to his appeal, was issued by the pope, in which he magnifies the virtue and efficacy of indulgences, in terms as extravagant as any of his predecessors had ventured to use in the darkest ages; and, without applying such palliatives, or mentioning such concessions, as a more enlightened period, and the disposition in the minds of many men at that juncture, seemed to call for, he required all christians to assent to what he delivered, as the doctrine of the catholic church, and subjected those who should hold or teach any contrary opinion, to the heaviest ecclesiastical censures.

Maximilian's death of advantage to Luther.

Among Luther's followers, this bull, which they considered as an unjustifiable effort of the pope, in order to preserve that rich branch of his revenue, which arose from indulgences, produced little effect. But, among the rest of his countrymen, such a clear decision of the sovereign pontiff against him, and enforced by such dreadful penalties, must have been attended with consequences very fatal to his cause; if these had not been prevented, in a great measure, by the death of the emperor Maximilian, whom both his principles and his interest prompted to support the authority of the holy see. In consequence of this event, the vicariat of that part of Germany which is governed by the Saxon laws, devolved to the elector of Saxony; and under the shelter of his friendly administration, Luther not only enjoyed tranquillity, but his opinions were suffered, during the interregnum which preceded Charles's election, to take root in different places, and to grow

Jan. 17, 1519.

[y] Sleid. Hist. 12. Luth. Oper. i. 179.

up to some degree of strength and firmness. At the same time, as the election of an emperor was a point more interesting to Leo than a theological controversy, which he did not understand, and of which he could not foresee the consequences, he was so extremely solicitous not to irritate a prince of such considerable influence in the electoral college as Frederic, that he discovered a great unwillingness to pronounce the sentence of excommunication against Luther, which his adversaries continually demanded with the most clamorous importunity. 1520.

Suspension of proceedings against Luther.

To these political views of the pope, as well as to his natural aversion from severe measures, was owing the suspension of any farther proceedings against Luther for eighteen months. Perpetual negotiations, however, in order to bring the matter to some amicable issue, were carried on during that space. The manner in which these were conducted having given Luther many opportunities of observing the corruption of the court of Rome; its obstinacy in adhering to established errours; and its indifference about truth, however clearly proposed, or strongly proved, he began to utter some doubts with regard to the divine original of the papal authority. A public disputation was held upon this important question at Leipsic, between Luther and Eccius, one of his most learned and formidable antagonists; but it was as fruitless and indecisive as such scholastic combats usually prove. Both parties boasted of having obtained the victory; both were confirmed in their own opinions; and no progress was made towards deciding the point in controversy[z].

He begins to call in question the papal authority.

Reformation in Switzerland.

Nor did this spirit of opposition to the doctrines and usurpations of the Romish church break out in Saxony alone; an attack no less violent, and occasioned by the same causes, was made upon them about this time in Switzerland. The franciscans being intrusted with

[z] Luth. Oper. i. 199.

1520. the promulgation of indulgences in that country, executed their commission with the same indiscretion and rapaciousness, which had rendered the dominicans so odious in Germany. They proceeded, nevertheless, with uninterrupted success till they arrived at Zurich. There Zuinglius, a man not inferior to Luther himself in zeal and intrepidity, ventured to oppose them; and being animated with a republican boldness, and free from those restraints which subjection to the will of a prince imposed on the German reformer, he advanced with more daring and rapid steps to overturn the whole fabric of the established religion[a]. The appearance of such a vigorous auxiliary, and the progress which he made, was, at first, matter of great joy to Luther. On the other hand, the decrees of the universities of Cologne and Louvain, which pronounced his opinions to be erroneous, afforded great cause of triumph to his adversaries.

Luther's boldness and progress.

But the undaunted spirit of Luther acquired additional fortitude from every instance of opposition; and pushing on his inquiries and attacks from one doctrine to another, he began to shake the firmest foundations on which the wealth or power of the church was established. Leo came at last to be convinced, that all hopes of reclaiming him by forbearance were vain; several prelates of great wisdom exclaimed, no less than Luther's personal adversaries, against the pope's unprecedented lenity in permitting an incorrigible heretic, who, during three years, had been endeavouring to subvert every thing sacred and venerable, still to remain within the bosom of the church; the dignity of the papal see rendered the most vigorous proceedings necessary; the new emperor, it was hoped, would support its authority; nor did it seem probable that the elector of Saxony would so far forget his usual caution, as to set himself in opposition to their united power.

[a] Sleid. Hist. 22. Seckend. 59.

The college of cardinals was often assembled, in order to prepare the sentence with due deliberation, and the ablest canonists were consulted how it might be expressed with unexceptionable formality. At last, on the fifteenth of June, one thousand five hundred and twenty, the bull so fatal to the church of Rome was issued. Forty-one propositions, extracted out of Luther's works, are therein condemned as heretical, scandalous, and offensive to pious ears; all persons are forbidden to read his writings, upon pain of excommunication; such as had any of them in their custody were commanded to commit them to the flames; he himself, if he did not within sixty days publicly recant his errours, and burn his books, is pronounced an obstinate heretic; is excommunicated, and delivered unto Satan for the destruction of his flesh; and all secular princes are required, under pain of incurring the same censure, to seize his person, that he might be punished as his crimes deserved [b].

1520.

Bull of excommunication published against him.

The publication of this bull in Germany excited various passions in different places. Luther's adversaries exulted, as if his party and opinions had been crushed at once by such a decisive blow. His followers, whose reverence for the papal authority daily diminished, read Leo's anathemas with more indignation than terrour. In some cities, the people violently obstructed the promulgation of the bull; in others, the persons who attempted to publish it were insulted, and the bull itself was torn in pieces, and trodden under foot [c].

The effects of this in Germany,

This sentence, which he had for some time expected, did not disconcert or intimidate Luther. After renewing his appeal to the general council, he published remarks upon the bull of excommunication; and being now persuaded that Leo had been guilty both of impiety and injustice in his proceedings against him, he

and upon Luther. Nov. 17.

[b] Palavic. 27. Luth. Oper. i. 423. [c] Seckend. p. 116.

1520. boldly declared the pope to be that man of sin, or antichrist, whose appearance is foretold in the new testament; he declaimed against his tyranny and usurpations with greater violence than ever; he exhorted all christian princes to shake off such an ignominious yoke; and boasted of his own happiness in being marked out as the object of ecclesiastical indignation, because he had ventured to assert the liberty of mankind. Nor did he confine his expressions of contempt for the papal power to words alone: Leo having, in execution of the bull, appointed Luther's books to be burnt at Rome, he, by way of retaliation, assembled all the professors and students in the university of Wittemberg, and with great pomp, in presence of a vast multitude of spectators, cast the volumes of the canon law, together with the bull of excommunication, into the flames; and his example was imitated in several cities of Germany. The manner in which he justified this action was still more offensive than the action itself. Having collected from the canon law some of the most extravagant propositions with regard to the plenitude and omnipotence of the papal power, as well as the subordination of all secular jurisdiction to the authority of the holy see, he published these with a commentary; pointing out the impiety of such tenets, and their evident tendency to subvert all civil government[d].

State of the reformation when Charles arrived in Germany.

Such was the progress which Luther had made, and such the state of his party, when Charles arrived in Germany. No secular prince had hitherto embraced Luther's opinions; no change in the established forms of worship had been introduced; and no encroachments had been made upon the possessions or jurisdiction of the clergy; neither party had yet proceeded to action; and the controversy, though conducted with great heat and passion on both sides, was still carried on with its proper weapons, with theses, disputations,

[d] Luth. Oper. ii. 316.

and replies. A deep impression, however, was made upon the minds of the people; their reverence for ancient institutions and doctrines was shaken; and the materials were already scattered, which kindled into the combustion that soon spread over all Germany. Students crowded from every province of the empire to Wittemberg; and under Luther himself, Melancthon, Carlostadius, and other masters then reckoned eminent, imbibed opinions which, on their return, they propagated among their countrymen, who listened to them with that fond attention which truth, when accompanied with novelty, naturally commands[e]. 1520.

During the course of these transactions, the court of Rome, though under the direction of one of its ablest pontiffs, neither formed its schemes with that profound sagacity, nor executed them with that steady perseverance, which had long rendered it the most perfect model of political wisdom to the rest of Europe. When Luther began to declaim against indulgences, two different methods of treating him lay before the pope; by adopting one of which, the attempt, it is probable, might have been crushed, and by the other it might have been rendered innocent. If Luther's first departure from the doctrines of the church had instantly drawn upon him the weight of its censures, the dread of these might have restrained the elector of Saxony from protecting him, might have deterred the people from listening to his discourses, or even might have overawed Luther himself; and his name, like that of many good men before his time, would now have been known to the world only for his honest but ill-timed effort to correct the corruptions of the Romish church. On the other hand, if the pope had early testified some displeasure with the vices and excesses of the friars who had been employed in publishing indulgences; if he had forbidden the mentioning of contro- Reflections upon the conduct of Rome;

[e] Seckend. 59.

1520. verted points in discourses addressed to the people; if he had enjoined the disputants on both sides to be silent; if he had been careful not to risk the credit of the church by defining articles which had hitherto been left undetermined; Luther would, probably, have stopped short at his first discoveries; he would not have been forced in self-defence to venture upon new ground, and the whole controversy might possibly have died away insensibly; or, being confined entirely to the schools, might have been carried on with as little detriment to the peace and unity of the Romish church, as that which the franciscans maintained with the dominicans concerning the immaculate conception, or that between the jansenists and jesuits concerning the operations of grace. But Leo, by fluctuating between these opposite systems, and by embracing them alternately, defeated the effects of both. By an improper exertion of authority, Luther was exasperated, but not restrained. By a mistaken exercise of lenity, time was given for his opinions to spread, but no progress was made towards reconciling him to the church; and even the sentence of excommunication, which at another juncture might have been decisive, was delayed so long, that it became at last scarcely an object of terrour.

and upon the conduct of Luther.

Such a series of errours in the measures of a court seldom chargeable with mistaking its own true interest, is not more astonishing than the wisdom which appeared in Luther's conduct. Though a perfect stranger to the maxims of worldly wisdom, and incapable, from the impetuosity of his temper, of observing them, he was led naturally, by the method in which he made his discoveries, to carry on his operations in a manner which contributed more to their success, than if every step he took had been prescribed by the most artful policy. At the time when he set himself to oppose Tetzel, he was far from intending that reformation which he afterwards effected; and would have trem-

bled with horrour at the thoughts of what at last he gloried in accomplishing. The knowledge of truth was not poured into his mind all at once, by any special revelation; he acquired it by industry and meditation, and his progress, of consequence, was gradual. The doctrines of popery are so closely connected, that the exposing of one errour conducted him naturally to the detection of others; and all the parts of that artificial fabric were so united together, that the pulling down of one loosened the foundation of the rest, and rendered it more easy to overturn them. In confuting the extravagant tenets concerning indulgences, he was obliged to inquire into the true cause of our justification and acceptance with God. The knowledge of that discovered to him, by degrees, the inutility of pilgrimages and penances; the vanity of relying on the intercession of saints; the impiety of worshipping them; the abuses of auricular confession; and the imaginary existence of purgatory. The detection of so many errours, led him, of course, to consider the character of the clergy who taught them; and their exorbitant wealth, the severe injunction of celibacy, together with the intolerable rigour of monastic vows, appeared to him the great sources of their corruption. From thence, it was but one step to call in question the divine original of the papal power, which authorized and supported such a system of errours. As the unavoidable result of the whole, he disclaimed the infallibility of the pope, the decisions of schoolmen, or any other human authority, and appealed to the word of God, as the only standard of theological truth. To this gradual progress Luther owed his success. His hearers were not shocked at first by any proposition too repugnant to their ancient prejudices, or too remote from established opinions. They were conducted insensibly from one doctrine to another. Their faith and conviction were able to keep pace with his

1520.

1520. discoveries. To the same cause was owing the inattention, and even indifference, with which Leo viewed Luther's first proceedings. A direct or violent attack upon the authority of the church would at once have drawn upon Luther the whole weight of its vengeance: but as this was far from his thoughts, as he continued long to profess great respect for the pope, and made repeated offers of submission to his decisions, there seemed to be no reason for apprehending that he would prove the author of any desperate revolt; and he was suffered to proceed, step by step, in undermining the constitution of the church, until the remedy applied at last came too late to produce any effect.

An inquiry into the causes which contributed to the progress of the reformation.

But whatever advantages Luther's cause derived, either from the mistakes of his adversaries or from his own good conduct, the sudden progress and firm establishment of his doctrines must not be ascribed to these alone. The same corruptions in the church of Rome which he condemned, had been attacked long before his time. The same opinions which he now propagated, had been published in different places, and were supported by the same arguments. Waldus in the twelfth century, Wickliff in the fourteenth, and Huss in the fifteenth, had inveighed against the errours of popery with great boldness, and confuted them with more ingenuity and learning than could have been expected in those illiterate ages in which they flourished. But all these premature attempts towards a reformation proved abortive. Such feeble lights, incapable of dispelling the darkness which then covered the church, were soon extinguished; and though the doctrines of these pious men produced some effects, and left some traces in the countries where they taught, they were neither extensive nor considerable. Many powerful causes contributed to facilitate Luther's progress, which either did not exist, or did not operate with full force, in their days; and at that critical and

mature juncture when he appeared, circumstances of every kind concurred in rendering each step that he took successful. 1520.

The long and scandalous schism which divided the church during the latter part of the fourteenth and the beginning of the fifteenth centuries, had a great effect in diminishing the veneration with which the world had been accustomed to view the papal dignity. Two or three contending pontiffs roaming about Europe at a time; fawning on the princes whom they wanted to gain; extorting large sums of money from the countries which acknowledged their authority; excommunicating their rivals, and cursing those who adhered to them, discredited their pretensions to infallibility, and exposed both their persons and their office to contempt. The laity, to whom all parties appealed, came to learn that some right of private judgment belonged to them, and acquired the exercise of it so far as to choose, among these infallible guides, whom they would please to follow. The proceedings of the councils of Constance and Basil spread this disrespect for the Romish see still wider, and, by their bold exertion of authority in deposing and electing popes, taught men that there was in the church a jurisdiction superior even to the papal power, which they had long believed to be supreme. The long schism in the fourteenth century.

The wound given on that occasion to the papal authority was scarcely healed up, when the pontificates of Alexander the sixth, and Julius the second, both able princes, but detestable ecclesiastics, raised new scandal in christendom. The profligate morals of the former in private life; the fraud, the injustice, and cruelty of his public administration, place him on a level with those tyrants, whose deeds are the greatest reproach to human nature. The latter, though a stranger to the odious passions which prompted his predecessor to commit so many unnatural crimes, was under the dominion of a restless and ungovernable ambition, that scorned all considerations of gratitude, The pontificates of Alexander the sixth and of Julius the second.

1520. of decency, or of justice, when they obstructed the execution of his schemes. It was hardly possible to be firmly persuaded, that the infallible knowledge of a religion, whose chief precepts are purity and humility, was deposited in the breasts of the profligate Alexander, or the overbearing Julius. The opinion of those who exalted the authority of a council above that of the pope, spread wonderfully under their pontificates: and as the emperor and French kings, who were alternately engaged in hostilities with those active pontiffs, permitted and even encouraged their subjects to expose their vices with all the violence of invective and all the petulance of ridicule; men's ears being accustomed to these, were not shocked with the bold or ludicrous discourses of Luther and his followers concerning the papal dignity.

The immoral lives of the clergy.

Nor were such excesses confined to the head of the church alone. Many of the dignified clergy, secular as well as regular, being the younger sons of noble families, who had assumed the ecclesiastical character for no other reason but that they found in the church stations of great dignity and affluence, were accustomed totally to neglect the duties of their office, and indulged themselves without reserve in all the vices to which great wealth and idleness naturally give birth. Though the inferior clergy were prevented by their poverty from imitating the expensive luxury of their superiors, yet gross ignorance and low debauchery rendered them as contemptible as the others were odious[f].

[f] The corrupt state of the church prior to the reformation is acknowledged by an author, who was both abundantly able to judge concerning this matter, and who was not over-forward to confess it. "For some years (says Bellarmine) before the Lutheran and Calvinistic heresies were published, there was not (as contemporary authors testify) any severity in ecclesiastical judicatories, any discipline with regard to morals, any knowledge of sacred literature, any reverence for divine things; there was not almost any religion remaining." Bellarminus, Concio xxviii. Oper. tom. vi. col. 296. edit. Colon. 1617, apud Gerdesii Hist. Evan. Renovati, vol. i. p. 25.

The severe and unnatural law of celibacy, to which both were equally subject, occasioned such irregularities, that in several parts of Europe the concubinage of priests was not only permitted, but enjoined. The employing of a remedy so contrary to the precepts of the christian religion, is the strongest proof that the crimes it was intended to prevent were both numerous and flagrant. Long before the sixteenth century, many authors of great name and authority give such descriptions of the dissolute morals of the clergy, as seem almost incredible in the present age[g]. The voluptuous lives of ecclesiastics occasioned great scandal, not only because their manners were inconsistent with their sacred character; but the laity being accustomed to see several of them raised from the lowest stations to the greatest affluence, did not show the same indulgence to their excesses, as to those of persons possessed of hereditary wealth or grandeur; and, viewing their condition with more envy, they censured their 1520.

[g] Centum Gravamina Nation. German. in Fasciculo Rer. expetend. et fugiendarum, per Ortuinum Gratium, vol. i. 361. See innumerable passages to the same purpose in the appendix, or second volume, published by Edw. Brown. See also Herm. von der Hardt, Hist. Lit. Reform. pars iii. and the vast collections of Walchius in his four volumes of Monumenta Medii Ævi. Gotting. 1757.

The authors I have quoted enumerate the vices of the clergy. When they ventured upon actions manifestly criminal, we may conclude that they would be less scrupulous with respect to the decorum of behaviour. Accordingly, their neglect of the decent conduct suitable to their profession seems to have given great offence. In order to illustrate this, I shall transcribe one passage, because it is not taken from any author whose professed purpose it was to describe the improper conduct of the clergy; and who, from prejudice or artifice, may be supposed to aggravate the charge against them. The emperor Charles the fourth, in a letter to the archbishop of Mentz, a. d. 1359, exhorting him to reform the disorders of the clergy, thus expresses himself: "De Christi patrimonio, ludos, hastiludia et torneamenta exercent; habitum militarem cum prætextis aureis et argenteis gestant, et calceos militares; comam et barbam nutriunt, et nihil quod ad vitam et ordinem ecclesiasticum spectat, ostendunt. Militaribus se duntaxat et secularibus actibus, vita et moribus, in suæ salutis dispendium, et generale populi scandalum, immiscent." Codex Diplomaticus Anecdotorum, per Val. Ferd. Gudenum, 4to. vol. iii. p. 438.

1520. crimes with greater severity. Nothing, therefore, could be more acceptable to Luther's hearers, than the violence with which he exclaimed against the immoralities of churchmen; and every person in his audience could, from his own observation, confirm the truth of his invectives.

The facility with which these immoralities were pardoned.

The scandal of these crimes was greatly increased by the facility with which such as committed them obtained pardon. In all the European kingdoms, the importance of the civil magistrate, under forms of government extremely irregular and turbulent, made it necessary to relax the rigour of justice; and upon payment of a certain fine or composition prescribed by law, judges were accustomed to remit further punishment, even of the most atrocious crimes. The court of Rome, always attentive to the means of augmenting its revenues, imitated this practice; and, by a preposterous accommodation of it to religious concerns, granted its pardons to such transgressors as gave a sum of money in order to purchase them. As the idea of a composition for crimes was then familiar, this strange traffic was so far from shocking mankind, that it soon became general; and in order to prevent any imposition in carrying it on, the officers of the Roman chancery published a book, containing the precise sum to be exacted for the pardon of every particular sin. A deacon, guilty of murder, was absolved for twenty crowns. A bishop, or abbot, might assassinate for three hundred livres. Any ecclesiastic might violate his vows of chastity, even with the most aggravating circumstances, for the third part of that sum. Even such shocking crimes as occur seldom in human life, and perhaps exist only in the impure imagination of a casuist, were taxed at a very moderate rate. When a more regular and perfect mode of dispensing justice came to be introduced into civil courts, the practice of paying a composition for crimes went gradually into disuse; and mankind having acquired more accurate notions concerning religion

and morality, the conditions on which the court of Rome bestowed its pardons appeared impious, and were considered as one great source of ecclesiastical corruption [h]. 1520.

This degeneracy of manners among the clergy might have been tolerated, perhaps, with greater indulgence, if their exorbitant riches and power had not enabled them, at the same time, to encroach on the rights of every other order of men. It is the genius of superstition, fond of whatever is pompous or grand, to set no bounds to its liberality towards persons whom it esteems sacred, and to think its expressions of regard defective, unless it hath raised them to the height of wealth and authority. Hence flowed the extensive revenues and jurisdiction possessed by the church in every country in Europe, and which were become intolerable to the laity, from whose undiscerning bounty they were at first derived. The exorbitant wealth of the church;

The burthen, however, of ecclesiastical oppression, had fallen with such peculiar weight on the Germans, as rendered them, though naturally exempt from levity, and tenacious of their ancient customs, more inclinable than any people in Europe to listen to those who called on them to assert their liberty. During the long contests between the popes and emperors concerning the right of investiture, and the wars which these occasioned, most of the considerable German ecclesiastics joined the papal faction; and while engaged in rebellion against the head of the empire, they seized the imperial domains and revenues, and usurped the imperial jurisdiction within their own dioceses. Upon the reestablishment of tranquillity, they still retained these usurpations, as if by the length of an unjust possession they had acquired a legal right to them. The emperors, too feeble to wrest them out of their hands, particularly in Germany;

[h] Fascicul. Rer. expet. et fug. i. 355. J. G. Schelhornii Amœnit. Literar. Francof. 1725, vol. ii. 369. Diction. de Bayle, artic. Banck et Tuppius. Taxa Cancellar. Romanæ, edit. Francof. 1651, passim.

1520. were obliged to grant the clergy fiefs of those ample territories, and they enjoyed all the immunities, as well as honours, which belonged to feudal barons. By means of these, many bishops and abbots in Germany were not only ecclesiastics, but princes, and their character and manners partook more of the license too frequent among the latter, than of the sanctity which became the former [i].

where the clergy usurped a great part of the property.

The unsettled state of government in Germany, and the frequent wars to which that country was exposed, contributed in another manner towards aggrandizing ecclesiastics. The only property, during those times of anarchy, which enjoyed security from the oppression of the great, or the ravages of war, was that which belonged to the church. This was owing, not only to the great reverence for the sacred character prevalent in those ages, but to a superstitious dread of the sentence of excommunication, which the clergy were ready to denounce against all who invaded their possessions. Many observing this, made a surrender of their lands to ecclesiastics, and, consenting to hold them in fee of the church, obtained as its vassals a degree of safety, which, without this device, they were unable to procure. By such an increase of the number of their vassals, the power of ecclesiastics received a real and permanent augmentation; and as lands held in fee by the limited tenures common in those ages, often returned to the persons on whom the fief depended, considerable additions were made in this way to the property of the clergy [k].

The great personal immunities of ecclesiastics.

The solicitude of the clergy in providing for the safety of their own persons, was still greater than that which they displayed in securing their possessions; and their efforts to attain it were still more successful. As they were consecrated to the priestly office with much

[i] F. Paul, History of Ecclesiast. Benefices, p. 107.

[k] Id. ibid. p. 66. Boulainvillers, Etat de France, tom. i. 169. Lond. 1737.

outward solemnity; were distinguished from the rest of mankind by a peculiar garb and manner of life; and arrogated to their order many privileges which do not belong to other christians, they naturally became the objects of excessive veneration. As a superstitious spirit spread, they were regarded as beings of a superior species to the profane laity, whom it would be impious to try by the same laws, or to subject to the same punishments. This exemption from civil jurisdiction, granted at first to ecclesiastics as a mark of respect, they soon claimed as a point of right. This valuable immunity of the priesthood is asserted, not only in the decrees of popes and councils, but was confirmed in the most ample form by many of the greatest emperors[l]. As long as the clerical character remained, the person of an ecclesiastic was, in some degree, sacred; and unless he were degraded from his office, the unhallowed hand of the civil judge durst not touch him. But as the power of degradation was lodged in the spiritual courts, the difficulty and expense of obtaining such a sentence too often secured absolute impunity to offenders. Many assumed the clerical character, for no other reason than that it might screen them from the punishment which their actions deserved[m]. The German nobles complained loudly, that these anointed malefactors, as they called them[n], seldom suffered capitally, even for the most atrocious crimes; and their independence of the civil magistrate is often mentioned in the remonstrances of the diets, as a privilege equally pernicious to society, and to the morals of the clergy. 1520.

Their encroachments on the jurisdiction of the laity.

While the clergy asserted the privileges of their own order with so much zeal, they made continual encroachments upon those of the laity. All causes relative to matrimony, to testaments, to usury, to legitimacy of birth, as well as those which concerned ec-

[l] Goldasti Constitut. Imperial. Francof. 1673, vol. ii. 92. 107.
[m] Rymer's Fœdera, vol. xiii. 532. [n] Centum Gravam. sect. 31.

1520. clesiastical revenues, were thought to be so connected with religion, that they could be tried only in the spiritual courts. Not satisfied with this ample jurisdiction, which extended to one half of the subjects that give rise to litigation among men, the clergy, with wonderful industry, and by a thousand inventions, endeavoured to draw all other causes into their own courts[o]. As they had engrossed almost the whole learning known in the dark ages, the spiritual judges were commonly so far superior in knowledge and abilities to those employed in the secular courts, that the people, at first, favoured any stretch that was made, to bring their affairs under the cognizance of a judicature, on the decisions of which they could rely with more perfect confidence than on those of the civil courts. Thus the interest of the church, and the inclination of the people, concurring to elude the jurisdiction of the lay magistrate, soon reduced it almost to nothing[p]. By means of this, vast power accrued to ecclesiastics, and no inconsiderable addition was made to their revenue by the sums paid in those ages to the persons who administered justice.

The dreadful effects of spiritual censures.

The penalty by which the spiritual courts enforced their sentences, added great weight and terrour to their jurisdiction. The censure of excommunication was instituted originally for preserving the purity of the church; that obstinate offenders, whose impious tenets or profane lives were a reproach to christianity, might be cut off from the society of the faithful; this, ecclesiastics did not scruple to convert into an engine for promoting their own power, and they inflicted it on the most frivolous occasions. Whoever despised any of their decisions, even concerning civil matters, immediately incurred this dreadful censure, which not only excluded them from all the privileges of a christian,

[o] Giannone, Hist. of Naples, book xix. sect. 3.
[p] Centum Gravam. sect. 9. 56. 64.

but deprived them of their rights as men and citizens[q]; and the dread of this rendered even the most fierce and turbulent spirits obsequious to the authority of the church. 1520.

The devices of ecclesiastics to secure their usurpations.

Nor did the clergy neglect the proper methods of preserving the wealth and power which they had acquired with such industry and address. The possessions of the church, being consecrated to God, were declared to be unalienable; so that the funds of a society which was daily gaining, and could never lose, grew to be immense. In Germany, it was computed that the ecclesiastics had got into their hands more than one half of the national property[r]. In other countries, the proportion varied; but the share belonging to the church was every where prodigious. These vast possessions were not subject to the burthens imposed on the lands of the laity. The German clergy were exempted by law from all taxes[s]; and if, on any extraordinary emergence, ecclesiastics were pleased to grant some aid towards supplying the public exigencies, this was considered as a free gift flowing from their own generosity, which the civil magistrate had no title to demand, far less to exact. In consequence of this strange solecism in government, the laity in Germany had the mortification to find themselves loaded with excessive impositions, because such as possessed the greatest property were freed from any obligation to support or to defend the state.

The German ecclesiastics mostly foreigners

Grievous, however, as the exorbitant wealth and numerous privileges of the clerical order were to the other members of the Germanic body, they would have reckoned it some mitigation of the evil, if these had been possessed only by ecclesiastics residing among themselves, who would have been less apt to make an improper use of their riches, or to exercise their rights

[q] Centum Gravam. sect. 34. [r] Ibid. sect. 28.

[s] Id. ibid. Goldasti Const. Imper. ii. 79. 108. Pfeffel, Hist. du Droit Publ. 350. 374.

1520. with unbecoming rigour. But the bishops of Rome having early put in a claim, the boldest that ever human ambition suggested, of being supreme and infallible heads of the christian church; they, by their profound policy and unwearied perseverance; by their address in availing themselves of every circumstance which occurred; by taking advantage of the superstition of some princes, of the necessities of others, and of the credulity of the people, at length established their pretensions, in opposition both to the interest and common sense of mankind. Germany was the country which these ecclesiastical sovereigns governed with most absolute authority. They excommunicated and deposed some of its most illustrious emperors, and excited their subjects, their ministers, and even their children, to take arms against them. Amidst these contests, the popes continually extended their own immunities, spoiling the secular princes gradually of their most valuable prerogatives, and the German church felt all the rigour of that oppression which flows from subjection to foreign dominion, and foreign exactions.

nominated by the pope.

The right of conferring benefices, which the popes usurped during that period of confusion, was an acquisition of great importance, and exalted the ecclesiastical power upon the ruins of the temporal. The emperors and other princes of Germany had long been in possession of this right, which served to increase both their authority and their revenue. But by wresting it out of their hands, the popes were enabled to fill the empire with their own creatures; they accustomed a great body of every prince's subjects to depend, not upon him, but upon the Roman see; they bestowed upon strangers the richest benefices in every country, and drained their wealth to supply the luxury of a foreign court. Even the patience of the most superstitious ages could no longer bear such oppression; and so loud and frequent were the complaints and murmurs of the Germans, that the popes, afraid of

irritating them too far, consented, contrary to their usual practice, to abate somewhat of their pretensions, and to rest satisfied with the right of nomination to such benefices as happened to fall vacant during six months in the year, leaving the disposal of the remainder to the princes and other legal patrons[t]. 1520.

The expedients for restraining this power of the popes ineffectual.

But the court of Rome easily found expedients for eluding an agreement which put such restraints on its power. The practice of reserving certain benefices in every country to the pope's immediate nomination, which had been long known, and often complained of, was extended far beyond its ancient bounds. All the benefices possessed by cardinals, or any of the numerous officers in the Roman court; those held by persons who happened to die at Rome, or within forty miles of that city, on their journey to or from it; such as became vacant by translation, with many others, were included in the number of 'reserved' benefices. Julius the second and Leo the tenth, stretching the matter to the utmost, often collated to benefices where the right of reservation had not been declared, on pretence of having mentally reserved this privilege to themselves. The right of reservation, however, even with this extension, had certain limits, as it could be exercised only where the benefice was actually vacant; and, therefore, in order to render the exertion of papal power unbounded, 'expectative graces,' or mandates nominating a person to succeed to a benefice upon the first vacancy that should happen, were brought into use. By means of these, Germany was filled with persons who were servilely dependent on the court of Rome, from which they had received such reversionary grants; princes were defrauded, in a great degree, of their prerogatives; the rights of lay patrons were preoccupied, and rendered almost entirely vain[u].

[t] F. Paul, Hist. of Eccles. Benef. 204. Gold. Const. Imper. i. 403.

[u] Centum Gravam. sect. 21. Fascic. Rerum expet. etc. 334. Gold. Const. Imper. i. 391. 404, 405. F. Paul, Hist. of Eccl. Benef. 167. 199.

1520.

Venality of the court of Rome.

The manner in which these extraordinary powers were exercised, rendered them still more odious and intolerable. The avarice and extortion of the court of Rome were become excessive almost to a proverb. The practice of selling benefices was so notorious, that no pains were taken to conceal or to disguise it. Companies of merchants openly purchased the benefices of different districts in Germany from the pope's ministers, and retailed them at an advanced price[x]. Pious men beheld with deep regret these simoniacal transactions, so unworthy the ministers of a christian church; while politicians complained of the loss sustained by the exportation of so much wealth in that irreligious traffic.

It drained other countries of their wealth.

The sums, indeed, which the court of Rome drew by its stated and legal impositions from all the countries acknowledging its authority, were so considerable, that it is not strange that princes, as well as their subjects, murmured at the smallest addition made to them by unnecessary or illicit means. Every ecclesiastical person, upon his admission to his benefice, paid 'annats,' or one year's produce of his living, to the pope; and as that tax was exacted with great rigour, its amount was very great. To this must be added, the frequent demands made by the popes of free gifts from the clergy, together with the extraordinary levies of tenths upon ecclesiastical benefices, on pretence of expeditions against the Turks, seldom intended, or carried into execution; and from the whole, the vast proportion of the revenues of the church, which flowed continually to Rome, may be estimated.

The united effect of all these causes.

Such were the dissolute manners, the exorbitant wealth, the enormous power and privileges of the clergy, before the reformation; such the oppressive rigour of that dominion which the popes had established over the christian world; and such the sentiments concerning them that prevailed in Germany at

[x] Fascic. Rer. expet. i. 359.

the beginning of the sixteenth century. Nor has this sketch been copied from the controversial writers of that age, who, in the heat of disputation, may be suspected of having exaggerated the errours, or of having misrepresented the conduct, of that church which they laboured to overturn; it is formed upon more authentic evidence, upon the memorials and remonstrances of the imperial diets, enumerating the grievances under which the empire groaned, in order to obtain the redress of them. Dissatisfaction must have arisen to a great height among the people, when these grave assemblies expressed themselves with that degree of acrimony which abounds in their remonstrances; and if they demanded the abolition of these enormities with so much vehemence, the people, we may be assured, uttered their sentiments and desires in bolder and more virulent language. 1520.

Men prepared to embrace Luther's opinions,

To men thus prepared for shaking off the yoke, Luther addressed himself with certainty of success. As they had long felt its weight, and had borne it with impatience, they listened with joy to the first offer of procuring them deliverance. Hence proceeded the fond and eager reception that his doctrines met with, and the rapidity with which they spread over all the provinces of Germany. Even the impetuosity and fierceness of Luther's spirit, his confidence in asserting his own opinions, and the arrogance as well as contempt wherewith he treated all who differed from him, which, in ages of greater moderation and refinement, have been reckoned defects in the character of that reformer, did not appear excessive to his contemporaries, whose minds were strongly agitated by those interesting controversies which he carried on, and who had themselves endured the rigour of papal tyranny, and seen the corruptions in the church against which he exclaimed.

and to tolerate his defects.

Nor were they offended at that gross scurrility with which his polemical writings are filled, or at the low

1520. buffoonery which he sometimes introduces into his gravest discourses. No dispute was managed in those rude times without a large portion of the former; and the latter was common, even on the most solemn occasions, and in treating the most sacred subjects. So far were either of these from doing hurt to his cause, that invective and ridicule had some effect, as well as more laudable arguments, in exposing the errours of popery, and in determining mankind to abandon them.

The effect of the invention of printing on the progress of the reformation;

Besides all these causes of Luther's rapid progress, arising from the nature of his enterprise, and the juncture at which he undertook it, he reaped advantage from some foreign and adventitious circumstances, the beneficial influence of which none of his forerunners in the same course had enjoyed. Among these may be reckoned the invention of the art of printing, about half a century before his time. By this fortunate discovery, the facility of acquiring and of propagating knowledge was wonderfully increased; and Luther's books, which must otherwise have made their way slowly and with uncertainty into distant countries, spread at once all over Europe. Nor were they read only by the rich and the learned, who alone had access to books before that invention; they got into the hands of the people, who, upon this appeal to them as judges, ventured to examine and to reject many doctrines which they had formerly been required to believe, without being taught to understand them.

and of the revival of learning.

The revival of learning, at the same period, was a circumstance extremely friendly to the reformation. The study of the ancient Greek and Roman authors, by enlightening the human mind with liberal and sound knowledge, roused it from that profound lethargy in which it had been sunk during several centuries. Mankind seem, at that period, to have recovered the powers of inquiring and of thinking for themselves, faculties of which they had long lost the use; and fond of the acquisition, they exercised them with great boldness

upon all subjects. They were not now afraid of entering an uncommon path, or of embracing a new opinion. Novelty appears rather to have been a recommendation of a doctrine; and instead of being startled when the daring hand of Luther drew aside, or tore the veil which covered and established errours, the genius of the age applauded and aided the attempt. Luther, though a stranger to elegance in taste or composition, zealously promoted the cultivation of ancient literature; and sensible of its being necessary to the right understanding of the scriptures, he himself had acquired considerable knowledge both in the Hebrew and Greek tongues. Melancthon and some other of his disciples were eminent proficients in the polite arts; and as the same ignorant monks who opposed the introduction of learning into Germany, set themselves with equal fierceness against Luther's opinions, and declared the good reception of the latter to be the effect of the progress which the former had made, the cause of learning and of the reformation came to be considered as closely connected with each other, and, in every country, had the same friends and the same enemies. This enabled the reformers to carry on the contest at first with great superiority. Erudition, industry, accuracy of sentiment, purity of composition, even wit and raillery, were almost wholly on their side, and triumphed with ease over illiterate monks, whose rude arguments, expressed in a perplexed and barbarous style, were found insufficient for the defence of a system, the errours of which, all the art and ingenuity of its later and more learned advocates have not been able to palliate. 1520.

Luther aided by persons who did not wish his success;

That bold spirit of inquiry, which the revival of learning excited in Europe, was so favourable to the reformation, that Luther was aided in his progress, and mankind were prepared to embrace his doctrines, by persons who did not wish success to his undertaking. The greater part of the ingenious men who

1520. applied to the study of ancient literature towards the close of the fifteenth century, and the beginning of the sixteenth, though they had no intention, and, perhaps, no wish, to overturn the established system of religion, had discovered the absurdity of many tenets and practices authorized by the church, and perceived the futility of those arguments by which illiterate monks endeavoured to defend them. Their contempt of these advocates for the received errours, led them frequently to expose the opinions which they supported, and to ridicule their ignorance, with great freedom and severity. By this, men were prepared for the more serious attacks made upon them by Luther, and their reverence both for the doctrines and persons against whom he inveighed, was considerably abated. This was particularly the case in Germany. When the first attempts were made to revive a taste for ancient learning in that country, the ecclesiastics there, who were still more ignorant than their brethren on the other side of the Alps, set themselves to oppose its progress with more active zeal; and the patrons of the new studies, in return, attacked them with greater violence. In the writings of Reuchlin, Hutten, and the other revivers of learning in Germany, the corruptions of the church of Rome are censured with an acrimony of style, little inferior to that of Luther himself[y].

particularly Erasmus.

From the same cause proceeded the frequent strictures of Erasmus upon the errours of the church, as well as upon the ignorance and vices of the clergy. His reputation and authority were so high in Europe at the beginning of the sixteenth century, and his works were read with such universal admiration, that the effect of these deserves to be mentioned as one of the circumstances which contributed considerably towards Luther's success. Erasmus, having been des-

[y] Gerdesius Hist. Evang. Renov. vol. i. p. 141. 157. Seckend. lib. i. p. 103. Von der Hardt, Hist. Literar. Reform. pars ii.

tined for the church, and trained up in the knowledge of ecclesiastical literature, applied himself more to theological inquiries than any of the revivers of learning in that age. His acute judgment and extensive erudition enabled him to discover many errours, both in the doctrine and worship of the Romish church. Some of these he confuted with great solidity of reasoning and force of eloquence. Others he treated as objects of ridicule, and turned against them that irresistible torrent of popular and satirical wit, of which he had the command. There was hardly any opinion or practice of the Romish church which Luther endeavoured to reform, but what had been previously animadverted upon by Erasmus, and had afforded him subject either of censure or of raillery. Accordingly, when Luther first began his attack upon the church, Erasmus seemed to applaud his conduct; he courted the friendship of several of his disciples and patrons, and condemned the behaviour and spirit of his adversaries[z]. He concurred openly with him in inveighing against the school divines, as the teachers of a system equally unedifying and obscure. He joined him in endeavouring to turn the attention of men to the study of the holy scriptures, as the only standard of religious truth[a]. 1520.

Various circumstances, however, prevented Erasmus from holding the same course with Luther. The natural timidity of his temper; his want of that strength of mind which alone can prompt a man to assume the character of a reformer[b]; his excessive deference for

[z] Seckend. lib. i. p. 40. 96.

[a] Von der Hardt, Histor. Literar. Reform. pars i. Gerdes. Hist. Evang. Renov. i. 147.

[b] Erasmus himself is candid enough to acknowledge this: "Luther," says he, "has given us many a wholesome doctrine, and many a good counsel. I wish he had not defeated the effect of them by intolerable faults. But if he had written every thing in the most unexceptionable manner, I had no inclination to die for the sake of truth. Every man hath not the courage requisite to make a martyr; and I am afraid, that if I were put to the trial, I should imitate St. Peter." Epist. Erasmi, in Jortin's Life of Erasm. vol. i. p. 273.

1520. persons in high stations; his dread of losing the pensions and other emoluments, which their liberality had conferred upon him; his extreme love of peace, and hopes of reforming abuses gradually, and by gentle methods, all concurred in determining him not only to repress and to moderate the zeal with which he had once been animated against the errours of the church [c], but to assume the character of a mediator between Luther and his opponents. But though Erasmus soon began to censure Luther as too daring and impetuous, and was at last prevailed upon to write against him, he must, nevertheless, be considered as his forerunner and auxiliary in this war upon the church. He first scattered the seeds, which Luther cherished and brought to maturity. His raillery and oblique censures prepared the way for Luther's invectives and more direct attacks. In this light Erasmus appeared to the zealous defenders of the Romish church in his own times [d]. In this light he must be considered by every person conversant in the history of that period.

In this long enumeration of the circumstances which combined in favouring the progress of Luther's opinions, or in weakening the resistance of his adversaries, I have avoided entering into any discussion of the theological doctrines of popery, and have not attempted to show how repugnant they are to the spirit of christianity, and how destitute of any foundation in reason, in the word of God, or in the practice of the primitive church, leaving those topics entirely to ecclesiastical historians, to whose province they peculiarly belong. But when we add the effect of these religious considerations to the influence of political causes, it is obvious that the united operation of both on the human mind must have been sudden and irresistible. Though to Luther's contemporaries, who were too near, per-

[c] Jortin's Life of Erasmus, vol. i. p. 258.

[d] Von der Hardt, Hist. Literar. Reform. pars i. p. 2.

haps, to the scene, or too deeply interested in it, to trace causes with accuracy, or to examine them with coolness, the rapidity with which his opinions spread, appeared to be so unaccountable, that some of them imputed it to a certain uncommon and malignant position of the stars, which scattered the spirit of giddiness and innovation over the world[e]; it is evident, that the success of the reformation was the natural effect of many powerful causes, prepared by peculiar providence, and happily conspiring to that end. This attempt to investigate these causes, and to throw light on an event, so singular and important, will not, perhaps, be deemed an unnecessary digression.——I return from it to the course of the history. 1520.

Proceedings of the diet at Worms. 1521.

The diet at Worms conducted its deliberations with that slow formality peculiar to such assemblies. Much time was spent in establishing some regulations with regard to the internal police of the empire. The jurisdiction of the imperial chamber was confirmed, and the forms of its proceeding rendered more fixed and regular. A council of regency was appointed to assist Ferdinand in the government of the empire during any occasional absence of the emperor; which, from the extent of the emperor's dominions, as well as the multiplicity of his affairs, was an event that might be frequently expected[f]. The state of religion was then taken into consideration. There were not wanting some plausible reasons which might have induced Charles to have declared himself the protector of Luther's cause, or at least to have connived at its progress. If he had possessed no other dominions but those which belonged to him in Germany, and no other crown besides the imperial, he might have been disposed, perhaps, to favour a man, who asserted so boldly the privileges and immunities for which the em-

The emperor's views with regard to Luther.

[e] Jovii Historia Lut. 1553, fol. p. 134.

[f] Pont. Heuter. Rerum Austr. lib. viii. cap. 11. p. 195. Pfeffel, Abrégé Chronol. p. 598.

1521. pire had struggled so long with the popes. But the vast and dangerous schemes which Francis the first was forming against Charles, made it necessary for him to regulate his conduct by views more extensive than those which would have suited a German prince; and it being of the utmost importance to secure the pope's friendship, this determined him to treat Luther with great severity, as the most effectual method of soothing Leo into a concurrence with his measures. His eagerness to accomplish this, rendered him not unwilling to gratify the papal legates in Germany, who insisted that, without any delay or formal deliberation, the diet ought to condemn a man whom the pope had already excommunicated as an incorrigible heretic. Such an abrupt manner of proceeding, however, being deemed unprecedented and unjust by the members of the diet, they made a point of Luther's appearing in person, and declaring whether he adhered or not to those opinions which had drawn upon him the censures of the church[g]. Not only the emperor, but all the princes through whose territories he had to pass, granted him a safe-conduct; and Charles wrote to him at the same time, requiring his immediate attendance on the diet, and renewing his promises of protection from any injury or violence[h]. Luther did not hesitate one moment about yielding obedience, and set out for Worms, attended by the herald who had brought the emperor's letter and safe-conduct. While on his journey, many of his friends, whom the fate of Huss under similar circumstances, and notwithstanding the same security of an imperial safe-conduct, filled with solicitude, advised and entreated him not to rush wantonly into the midst of danger. But Luther, superior to such terrours, silenced them with this reply: "I am lawfully called," said he, "to appear in that city, and thither will I go in the name of the Lord, though as many

He is summoned to appear.

March 6.

His undaunted spirit.

[g] P. Mart. Ep. 722.

[h] Luth. Oper. ii. 411.

devils, as there are tiles on the houses, were there combined against me[i]." 1521.

The reception which he met with at Worms, was such as he might have reckoned a full reward of all his labours, if vanity and the love of applause had been the principles by which he was influenced. Greater crowds assembled to behold him, than had appeared at the emperor's public entry; his apartments were daily filled with princes and personages of the highest rank[k], and he was treated with all the respect paid to those who possess the power of directing the understanding and sentiments of other men; an homage more sincere, as well as more flattering, than any which preeminence in birth or condition can command. At his appearance before the diet, he behaved with great decency, and with equal firmness. He readily acknowledged an excess of vehemence and acrimony in his controversial writings, but refused to retract his opinions, unless he were convinced of their falsehood; or to consent to their being tried by any other rule than the word of God. When neither threats nor entreaties could prevail on him to depart from this resolution, some of the ecclesiastics proposed to imitate the example of the council of Constance, and by punishing the author of this pestilent heresy, who was now in their power, to deliver the church at once from such an evil. But the members of the diet refusing to expose the German integrity to fresh reproach by a second violation of public faith; and Charles being no less unwilling to bring a stain upon the beginning of his administration by such an ignominious action, Luther was permitted to depart in safety[l]. A few days after he left the city, a severe edict was published in the emperor's name, and by authority of the diet, depriving him, as an obstinate and excommunicated cri-

His reception at Worms.

The manner of his appearance.

April 26. Edict against him.

[i] Luth. Oper. ii. 412.
[k] Seckend. 156. Luth. Oper. ii. 414.
[l] F. Paul, Hist. of Counc. p. 13. Seckend. 160.

1521. minal, of all the privileges which he enjoyed as a subject of the empire, forbidding any prince to harbour or protect him, and requiring all to concur in seizing his person as soon as the term specified in his safe-conduct was expired [m].

He is seized and concealed at Wartburg.

But this rigorous decree had no considerable effect, the execution of it being prevented, partly by the multiplicity of occupations which the commotions in Spain, together with the wars in Italy and the Low Countries, created to the emperor; and partly by a prudent precaution employed by the elector of Saxony, Luther's faithful and discerning patron. As Luther, on his return from Worms, was passing near Altenstein in Thuringia, a number of horsemen in masks rushed suddenly out of a wood, where the elector had appointed them to lie in wait for him, and, surrounding his company, carried him, after dismissing all his attendants, to Wartburg, a strong castle not far distant. There the elector ordered him to be supplied with every thing necessary or agreeable; but the place of his retreat was carefully concealed, until the fury of the present storm against him began to abate, upon a change in the political situation of Europe. In this solitude, where he remained nine months, and which he frequently called his Patmos, after the name of that island to which the apostle John was banished, he exerted his usual vigour and industry in defence of his doctrines, or in confutation of his adversaries, publishing several treatises, which revived the spirit of his followers, astonished to a great degree, and disheartened at the sudden disappearance of their leader.

Progress of his opinions.

During his confinement, his opinions continued to gain ground, acquiring the ascendant in almost every city in Saxony. At this time, the augustinians of Wittemberg, with the approbation of the university, and the connivance of the elector, ventured upon the

[m] Gold. Const. Imperial. ii. 401.

first step towards an alteration in the established forms of public worship, by abolishing the celebration of private masses, and by giving the cup as well as the bread to the laity, in administering the sacrament of the Lord's supper. 1521.

Whatever consolation the courage and success of his disciples, or the progress of his doctrines in his own country, afforded Luther in his retreat, he there received information of two events which considerably damped his joy, as they seemed to lay insuperable obstacles in the way of propagating his principles, in the two most powerful kingdoms of Europe. One was a solemn decree, condemning his opinions, published by the university of Paris, the most ancient, and, at that time, the most respectable of the learned societies in Europe. The other was the answer written to his book concerning the Babylonish captivity by Henry the eighth of England. That monarch, having been educated under the eye of a suspicious father, who, in order to prevent his attending to business, kept him occupied in the study of literature, still retained a greater love of learning, and stronger habits of application to it, than are common among princes of so active a disposition, and such violent passions. Being ambitious of acquiring glory of every kind, as well as zealously attached to the Romish church, and highly exasperated against Luther, who had treated Thomas Aquinas, his favourite author, with great contempt, Henry did not think it enough to exert his royal authority in opposing the opinions of the reformer, but resolved, likewise, to combat them with scholastic weapons. With this view he published his treatise on the seven sacraments, which, though forgotten at present, as books of controversy always are, when the occasion that produced them is past, is not destitute of polemical ingenuity and acuteness, and was represented, by the flattery of his courtiers, to be a work of such wonderful science and learning, as exalted him no less

Decree of the university of Paris condemning them.

Henry the eighth writes against them.

1521. above other authors in merit, than he was distinguished among them by his rank. The pope, to whom it was presented with the greatest formality in full consistory, spoke of it in such terms, as if it had been dictated by immediate inspiration; and, as a testimony of the gratitude of the church for his extraordinary zeal, conferred on him the title of 'defender of the faith,' an appellation which Henry soon forfeited in the opinion of those from whom he derived it, and which is still retained by his successors, though the avowed enemies of those opinions, by contending for which he merited that honourable distinction. Luther, who was not overawed, either by the authority of the university, or the dignity of the monarch, soon published his animadversions on both, in a style no less vehement and severe, than he would have used in confuting his meanest antagonist. This indecent boldness, instead of shocking his contemporaries, was considered by them as a new proof of his undaunted spirit. A controversy managed by disputants so illustrious, drew universal attention; and such was the contagion of the spirit of innovation, diffused through Europe in that age, and so powerful the evidence which accompanied the doctrines of the reformers on their first publication, that, in spite both of the civil and ecclesiastical powers combined against them, they daily gained converts both in France and in England.

Luther's reply to both.

How desirous soever the emperor might be to put a stop to Luther's progress, he was often obliged, during the diet at Worms, to turn his thoughts to matters still more interesting, and which demanded more immediate attention. A war was ready to break out between him and the French king in Navarre, in the Low Countries, and in Italy; and it required either great address to avert the danger, or timely and wise precautions to resist it. Every circumstance, at that juncture, inclined Charles to prefer the former measure. Spain was torn with intestine commotions. In Italy he had

State of affairs between Charles and Francis.

not, hitherto, secured the assistance of any one ally. In the Low Countries, his subjects trembled at the thoughts of a rupture with France, the fatal effects of which on their commerce they had often experienced. From these considerations, as well as from the solicitude of Chièvres, during his whole administration, to maintain peace between the two monarchs, proceeded the emperor's backwardness to commence hostilities. But Francis and his ministers did not breathe the same pacific spirit. He easily foresaw that concord could not long subsist, where interest, emulation, and ambition, conspired to dissolve it; and he possessed several advantages which flattered him with the hopes of surprising his rival, and of overpowering him before he could put himself in a posture of defence. The French king's dominions, from their compact situation, from their subjection to the royal authority, from the genius of the people, fond of war, and attached to their sovereign by every tie of duty and affection, were more capable of a great or sudden effort, than the larger but disunited territories of the emperor, in one part of which the people were in arms against his ministers, and in all his prerogative was more limited than that of his rival. 1521.

Henry the eighth favours the emperor.

The only princes, in whose power it was to have kept down, or to have extinguished this flame on its first appearance, either neglected to exert themselves, or were active in kindling and spreading it. Henry the eighth, though he affected to assume the name of mediator, and both parties made frequent appeals to him, had laid aside the impartiality which suited that character. Wolsey, by his artifices, had estranged himself so entirely from the French king, that he secretly fomented the discord which he ought to have composed, and waited only for some decent pretext to join his arms to those of the emperor[n].

[n] Herbert. Fiddes's Life of Wolsey, 258.

1521. Leo's endeavours to excite discord between the emperor and Francis were more avowed, and had greater influence. Not only his duty, as the common father of christendom, but his interest as an Italian potentate, called upon the pope to act as the guardian of the public tranquillity, and to avoid any measure that might overturn the system, which, after much bloodshed, and many negotiations, was now established in Italy. Accordingly Leo, who instantly discerned the propriety of this conduct, had formed a scheme, upon Charles's promotion to the imperial dignity, of rendering himself the umpire between the rivals, by soothing them alternately, while he entered into no close confederacy with either; and a pontiff less ambitious and enterprising might have saved Europe from many calamities by adhering to this plan. But this high-spirited prelate, who was still in the prime of life, longed passionately to distinguish his pontificate by some splendid action. He was impatient to wash away the infamy of having lost Parma and Placentia, the acquisition of which reflected so much lustre on the administration of his predecessor Julius. He beheld, with the indignation natural to Italians in that age, the dominion which the transalpine, or, as they, in imitation of the Roman arrogance, denominated them, the barbarous nations, had attained in Italy. He flattered himself that, after assisting the one monarch to strip the other of his possessions in that country, he might find means of driving out the victor in his turn, and acquire the glory of restoring Italy to the liberty and happiness which it had enjoyed before the invasion of Charles the eighth, when every state was governed by its native princes, or its own laws, and unacquainted with a foreign yoke. Extravagant and chimerical as this project may seem, it was the favourite object of almost every Italian eminent for genius or enterprise during great part of the sixteenth century. They vainly hoped that, by superior skill in the artifices and refinements of negotiation,

Leo hesitates between the rivals;

they should be able to baffle the efforts of nations less polished, indeed, than themselves, but much more powerful and warlike. So alluring was the prospect of this to Leo, that, notwithstanding the gentleness of his disposition, and his fondness for the pleasures of a refined and luxurious ease, he hastened to disturb the peace of Europe, and to plunge himself into a dangerous war, with an impetuosity scarcely inferior to that of the turbulent and martial Julius[o]. 1521.

It was in Leo's power, however, to choose which of the monarchs he would take for his confederate against the other. Both of them courted his friendship; he wavered for some time between them, and at first concluded an alliance with Francis. The object of this treaty was the conquest of Naples, which the confederates agreed to divide between them. The pope, it is probable, flattered himself, that the brisk and active spirit of Francis, seconded by the same qualities in his subjects, would get the start of the slow and wary councils of the emperor, and that they might overrun with ease this detached portion of his dominions, ill provided for defence, and always the prey of every invader. But whether the French king, by discovering too openly his suspicion of Leo's sincerity, disappointed these hopes; whether the treaty was only an artifice of the pope's, to cover the more serious negotiations which he was carrying on with Charles; whether he was enticed by the prospect of reaping greater advantages from an union with that prince; or whether he was soothed by the zeal which Charles had manifested for the honour of the church in condemning Luther; certain it is, that he soon deserted his new ally, and made overtures of friendship, though with great secrecy, to the emperor[p]. Don John Manuel, the same man who had been the favourite of Philip, and whose address

concludes a treaty with Charles.

[o] Guic. lib. xiv. p. 173.

[p] Id. ibid. p. 175. Mém. de Bellay, Par. 1573, p. 24.

1521. had disconcerted all Ferdinand's schemes, having been delivered, upon the death of that monarch, from the prison to which he had been confined, was now the imperial ambassador at Rome, and fully capable of improving this favourable disposition in the pope to his master's advantage[q]. To him the conduct of this negotiation was entirely committed; and being carefully concealed from Chièvres, whose aversion to a war with France would have prompted him to retard or to defeat it, an alliance between the pope and emperor was May 8. quickly concluded[r]. The chief articles in this treaty, which proved the foundation of Charles's grandeur in Italy, were, that the pope and emperor should join their forces to expel the French out of the Milanese, the possession of which should be granted to Francis Sforza, a son of Ludovico the Moor, who had resided at Trent since the time that his brother Maximilian had been dispossessed of his dominions by the French king; that Parma and Placentia should be restored to the church; that the emperor should assist the pope in conquering Ferrara; that the annual tribute paid by the kingdom of Naples to the holy see should be increased; that the emperor should take the family of Medici under his protection; that he should grant to the cardinal of that name a pension of ten thousand ducats upon the archbishopric of Toledo; and should settle lands in the kingdom of Naples to the same value upon Alexander the natural son of Lorenzo de' Medici.

Death of Chièvres, the emperor's favourite and minister.

The transacting an affair of such moment without his participation, appeared to Chièvres so decisive a proof of his having lost the ascendant which he had hitherto maintained over the mind of his pupil, that his chagrin on this account, added to the melancholy with which he was overwhelmed, on taking a view of the many and unavoidable calamities attending a war

[q] Jovii Vita Leonis, lib. iv. p. 89.

[r] Guic. lib. xiv. 181. Mém. de Bellay, p. 24. Du Mont, Corps Diplom. tom. iv. suppl. p. 96.

against France, is said to have shortened his days[s]. But though this, perhaps, may be only the conjecture of historians, fond of attributing every thing that befalls illustrious personages to extraordinary causes, and of ascribing even their diseases and death to the effect of political passions, which are more apt to disturb the enjoyment than to abridge the period of life, it is certain that his death, at this critical juncture, extinguished all hopes of avoiding a rupture with France[t]. This event, too, delivered Charles from a minister, to whose authority he had been accustomed from his infancy to submit with such implicit deference, as checked and depressed his genius, and retained him in a state of pupilage, unbecoming his years as well as his rank. But this restraint being removed, the native powers of his mind were permitted to unfold themselves, and he began to display such great talents, both in council and in action, as exceeded the hopes of his contemporaries[u], and command the admiration of posterity. 1521.

Commencement of hostilities in Navarre.

While the pope and emperor were preparing, in consequence of their secret alliance, to attack Milan, hostilities commenced in another quarter. The children of John d'Albret, king of Navarre, having often demanded the restitution of their hereditary dominions, in terms of the treaty of Noyon, and Charles having as often eluded their requests upon very frivolous pretexts, Francis thought himself authorized by that treaty to assist the exiled family. The juncture appeared extremely favourable for such an enterprise. Charles was at a distance from that part of his dominions; the troops usually stationed there, had been called away to quell the commotions in Spain; the Spanish malecontents warmly solicited him to invade Navarre[x], in which a considerable faction was ready to

[s] Belcarii Comment. de Reb. Gallic. 483.
[t] P. Heuter. Rer. Austr. lib. viii. c. 11. p. 197.
[u] P. Mart. Ep. 735.
[x] Id. Ep. 721.

1521. declare for the descendants of their ancient monarchs. But in order to avoid, as much as possible, giving offence to the emperor, or king of England, Francis directed forces to be levied, and the war to be carried on, not in his own name, but in that of Henry d'Albret. The conduct of these troops was committed to Andrew de Foix de l'Esparre, a young nobleman, whom his near alliance to the unfortunate king whose battles he was to fight, and, what was still more powerful, the interest of his sister, madame de Chateaubriand, Francis's favourite mistress, recommended to that important trust, for which he had neither talents nor experience. But, as there was no army in the field to oppose him, he became master, in a few days, of the whole kingdom of Navarre, without meeting with any obstruction but from the citadel of Pampeluna. The additional works to this fortress, begun by Ximenes, were still unfinished; nor would its slight resistance have deserved notice, if Ignatio Loyola, a Biscayan gentleman, had not been dangerously wounded in its defence. During the progress of a lingering cure, Loyola happened to have no other amusement than what he found in reading the lives of the saints: the effect of this on his mind, naturally enthusiastic, but ambitious and daring, was to inspire him with such a desire of emulating the glory of these fabulous worthies of the Roman church, as led him into the wildest and most extravagant adventures, which terminated at last in instituting the society of jesuits, the most political and best regulated of all the monastic orders, and from which mankind have derived more advantages, and received greater injury, than from any other of those religious fraternites.

Progress of the French.

If, upon the reduction of Pampeluna, l'Esparre had been satisfied with taking proper precautions for securing his conquest, the kingdom of Navarre might still have remained annexed to the crown of France, in reality, as well as in title. But, pushed on by youthful ardour, and encouraged by Francis, who was too apt

They enter Castile.

to be dazzled with success, he ventured to pass the confines of Navarre, and to lay siege to Logrogno, a small town in Castile. This roused the Castilians, who had hitherto beheld the rapid progress of his arms with great unconcern; and the dissensions in that kingdom, of which a full account shall be given, being almost composed, both parties exerted themselves with emulation in defence of their country; the one, that it might efface the memory of past misconduct by its present zeal; the other, that it might add to the merit of having subdued the emperor's rebellious subjects, that of repulsing his foreign enemies. The sudden advance of their troops, together with the gallant defence made by the inhabitants of Logrogno, obliged the French general to abandon his rash enterprise. The Spanish army, which increased every day, harassing him during his retreat, he, instead of taking shelter under the cannon of Pampeluna, or waiting the arrival of some troops which were marching to join him, attacked the Spaniards, though far superior to him in number, with great impetuosity, but with so little conduct, that his forces were totally routed, he himself, together with his principal officers, was taken prisoner, and Spain recovered possession of Navarre in still shorter time than the French had spent in the conquest of it[y]. 1521.

They are defeated and driven out of Navarre.

While Francis endeavoured to justify his invasion of Navarre, by carrying it on in the name of Henry d'Albret, he had recourse to an artifice much of the same kind, in attacking another part of the emperor's territories. Robert de la Mark, lord of the small but independent territory of Bouillon, situated on the frontiers of Luxembourg and Champagne, having abandoned Charles's service on account of an encroachment which the aulic council had made on his jurisdiction, and having thrown himself upon France for protection, was easily persuaded, in the heat of his resentment, to send

Hostilities begun in the Low Countries.

[y] Mém. de Bellay, p. 21. P. Mart. Ep. 726.

1521. a herald to Worms, and to declare war against the emperor in form. Such extravagant insolence in a petty prince surprised Charles, and appeared to him a certain proof of his having received promises of powerful support from the French king. The justness of this conclusion soon became evident. Robert entered the dutchy of Luxembourg with troops levied in France, by the king's connivance, though seemingly in contradiction to his orders, and, after ravaging the open country, laid siege to Vireton. Of this Charles complained loudly, as a direct violation of the peace subsisting between the two crowns, and summoned Henry the eighth, in terms of the treaty concluded at London, in the year one thousand five hundred and eighteen, to turn his arms against Francis as the first aggressor. Francis pretended that he was not answerable for Robert's conduct, whose army fought under his own standards and in his own quarrel; and affirmed, that, contrary to an express prohibition, he had seduced some subjects of France into his service; but Henry paid so little regard to this evasion, that the French king, rather than irritate a prince whom he still hoped to gain, commanded de la Mark to disband his troops[z].

The emperor, meanwhile, was assembling an army to chastise Robert's insolence. Twenty thousand men, under the count of Nassau, invaded his little territories, and in a few days became masters of every place in them but Sedan. After making him feel so sensibly the weight of his master's indignation, Nassau advanced towards the frontiers of France; and Charles, knowing that he might presume so far on Henry's partiality in his favour, as not to be overawed by the same fears which had restrained Francis, ordered his general to besiege Mouson. The cowardice of the garrison having obliged the governor to surrender almost without resistance, Nassau invested Mézières, a place at that

Siege of Mézières by the imperialists;

[z] Mém. de Bellay, p. 22, etc. Mém. de Fleuranges, p. 335, etc.

time of no considerable strength, but so advantageously situated, that, by getting possession of it, the imperial army might have penetrated into the heart of Champagne, in which there was hardly any other town capable of obstructing its progress. Happily for France, its monarch, sensible of the importance of this fortress, and of the danger to which it was exposed, committed the defence of it to the chevalier Bayard, distinguished among his contemporaries by the appellation of 'the knight without fear, and without reproach[a].' This man, whose prowess in combat, whose punctilious honour and formal gallantry, bear a nearer resemblance, than any thing recorded in history, to the character ascribed to the heroes of chivalry, possessed all the talents which form a great general. These he had many occasions of exerting in the defence of Mézières; partly by his valour, partly by his conduct, he protracted the siege to a great length, and in the end obliged the imperialists to raise it, with disgrace and loss[b]. Francis, at the head of a numerous army, soon retook Mouson, and, entering the Low Countries, made several conquests of small importance. In the neighbourhood of Valenciennes, through an excess of caution, an errour with which he cannot be often charged, he lost an opportunity of cutting off the whole imperial army[c]; and, what was still more unfortunate, he disgusted Charles duke of Bourbon, high constable of France, by giving the command of the van to the duke d'Alençon, though this post of honour belonged to Bourbon, as a prerogative of his office. 1521.

During these operations in the field, a congress was held at Calais, under the mediation of Henry the eighth, in order to bring all differences to an amicable issue; and if the intentions of the mediator had corresponded, August. Congress at Calais under the mediation of England,

[a] Oeuvres de Brantome, tom. vi. 114.
[b] Mém. de Bellay, p. 25, etc.
[c] P. Mart. Ep. 747. Mém. de Bellay, 35.

1521. in any degree, to his professions, it could hardly have failed of producing some good effect. But Henry committed the sole management of the negotiation, with unlimited powers, to Wolsey; and this choice alone was sufficient to have rendered it abortive. That prelate, bent on attaining the papal crown, the great object of his ambition, and ready to sacrifice every thing in order to gain the emperor's interest, was so little able to conceal his partiality, that, if Francis had not been well acquainted with his haughty and vindictive temper, he would have declined his mediation. Much time was spent in inquiring who had begun hostilities, which Wolsey affected to represent as the principal point; and by throwing the blame of that on Francis, he hoped to justify, by the treaty of London, any alliance into which his master should enter with Charles.

without any effect.

The conditions on which hostilities might be terminated came next to be considered; but with regard to these, the emperor's proposals were such, as discovered either that he was utterly averse to peace, or that he knew Wolsey would approve of whatever terms should be offered in his name. He demanded the restitution of the dutchy of Burgundy, a province, the possession of which would have given him access into the heart of France; and required to be released from the homage due to the crown of France for the counties of Flanders and Artois, which none of his ancestors had ever refused, and which he had bound himself by the treaty of Noyon to renew. These terms, to which an high-spirited prince would scarcely have listened, after the disasters of an unfortunate war, Francis rejected with great disdain; and Charles showing no inclination to comply with the more equal and moderate propositions of the French monarch, that he should restore Navarre to its lawful prince, and withdraw his troops from the siege of Tournay, the congress broke up without any other effect than that which attends unsuccessful nego-

tiations, the exasperating of the parties whom it was intended to reconcile[d]. 1521.

During the continuance of the congress, Wolsey, on pretence that the emperor himself would be more willing to make reasonable concessions than his ministers, made an excursion to Bruges, to meet that monarch. He was received by Charles, who knew his vanity, with as much respect and magnificence as if he had been king of England. But instead of advancing the treaty of peace by this interview, Wolsey, in his master's name, concluded a league with the emperor against Francis; in which it was stipulated, that Charles should invade France on the side of Spain, and Henry in Picardy, each with an army of forty thousand men; and that, in order to strengthen their union, Charles should espouse the princess Mary, Henry's only child, and the apparent heir of his dominions[e]. Henry produced no better reasons for this measure, equally unjust and impolitic, than the article in the treaty of London, by which he pretended that he was bound to take arms against the French king as the first aggressor; and the injury which he alleged Francis had done him, in permitting the duke of Albany, the head of a faction in Scotland, which opposed the interest of England, to return into that kingdom. He was influenced, however, by other considerations. The advantages which accrued to his subjects from maintaining an exact neutrality, or the honour that resulted to himself from acting as the arbiter between the contending princes, appeared to his youthful imagination so inconsiderable, when compared with the glory which might be reaped from leading armies or conquering provinces, that he determined to remain no longer in a state of inactivity. Having once taken this resolution, his inducements to prefer an alliance with Charles were obvious. He had no claim upon any part of that prince's dominions, most

League against France between the emperor and Henry the eighth.

[d] P. Mart. Ep. 739. Herbert.

[e] Rymer, Fœder. xiii. Herbert.

1521. of which were so situated that he could not attack them without great difficulty and disadvantage; whereas several maritime provinces of France had been long in the hands of the English monarchs, whose pretensions, even to the crown of that kingdom, were not as yet altogether forgotten; and the possession of Calais not only gave him easy access into some of those provinces, but, in case of any disaster, afforded him a secure retreat. While Charles attacked France on one frontier, Henry flattered himself that he should find little resistance on the other, and that the glory of reannexing to the crown of England the ancient inheritance of its monarchs on the continent, was reserved for his reign. Wolsey artfully encouraged these vain hopes, which led his master into such measures, as were most subservient to his own secret schemes; and the English, whose hereditary animosity against the French was apt to rekindle on every occasion, did not disapprove of the martial spirit of their sovereign.

Hostilities in Italy.

Meanwhile, the league between the pope and the emperor produced great effects in Italy, and rendered Lombardy the chief theatre of war. There was, at that time, such contrariety between the character of the French and the Italians, that the latter submitted to the government of the former with greater impatience than they expressed under the dominion of other foreigners. The phlegm of the Germans and gravity of the Spaniards suited their jealous temper and ceremonious manners better than the French gaiety, too prone to gallantry, and too little attentive to decorum. Lewis the twelfth, however, by the equity and gentleness of his administration, and by granting the Milanese more extensive privileges than those they had enjoyed under their native princes, had overcome, in a great measure, their prejudices, and reconciled them to the French government. Francis, on recovering that dutchy, did not imitate the example of his predecessor. Though too generous himself to oppress his people, his bound-

less confidence in his favourites, and his negligence in examining into the conduct of those whom he intrusted with power, emboldened them to venture upon any acts of oppression. The government of Milan was committed by him to Odet de Foix, maréchal de Lautrec, another brother of madame de Chateaubriand, an officer of great experience and reputation, but haughty, imperious, rapacious, and incapable either of listening to advice or of bearing contradiction. His insolence and exactions totally alienated the affections of the Milanese from France, drove many of the considerable citizens into banishment, and forced others to retire for their own safety. Among the last was Jerome Morone, vicechancellor of Milan, a man whose genius for intrigue and enterprise distinguished him in an age and country, where violent factions, as well as frequent revolutions, affording great scope for such talents, produced or called them forth in great abundance. He repaired to Francis Sforza, whose brother Maximilian he had betrayed; and suspecting the pope's intention of attacking the Milanese, although his treaty with the emperor was not yet made public, he proposed to Leo, in the name of Sforza, a scheme for surprising several places in that dutchy by means of the exiles, who, from hatred to the French, and from attachment to their former masters, were ready for any desperate enterprise. Leo not only encouraged the attempt, but advanced a considerable sum towards the execution of it; and when, through unforeseen accidents, it failed of success in every part, he allowed the exiles, who had assembled in a body, to retire to Reggio, which belonged at that time to the church. The maréchal de Foix, who commanded at Milan in absence of his brother Lautrec, who was then in France, tempted with the hopes of catching at once, as in a snare, all the avowed enemies of his master's government in that country, ventured to march into the ecclesiastical territories, and to invest Reggio. But the vigilance and

1521.

The Milanese disgusted with the French government.

June 24.

1521. good conduct of Guicciardini, the historian, governor of that place, obliged the French general to abandon the enterprise with disgrace[f]. Leo on receiving this intelligence, with which he was highly pleased, as it furnished him a decent pretence for a rupture with France, immediately assembled the consistory of cardinals. After complaining bitterly of the hostile intentions of the French king, and magnifying the emperor's zeal for the church, of which he had given a recent proof by his proceedings against Luther, he declared that he was constrained in self-defence, and as the only expedient for the security of the ecclesiastical state, to join his arms to those of that prince. For this purpose he now pretended to conclude a treaty with don John Manuel, although it had really been signed some months before this time; and he publicly excommunicated de Foix, as an impious invader of St. Peter's patrimony.

The pope declares against Francis.

War in the Milanese. Leo had already begun preparations for war by taking into pay a considerable body of Swiss; but the imperial troops advanced so slowly from Naples and Germany, that it was the middle of autumn before the army took the field under the command of Prosper Colonna, the most eminent of the Italian generals, whose extreme caution, the effect of long experience in the art of war, was opposed with great propriety to the impetuosity of the French. In the mean time, de Foix despatched courier after courier to inform the king of the danger which was approaching. Francis, whose forces were either employed in the Low Countries, or assembling on the frontiers of Spain, and who did not expect so sudden an attack in that quarter, sent ambassadors to his allies the Swiss, to procure from them the immediate levy of an additional body of troops; and commanded Lautrec to repair forthwith to his government. That general, who was well ac-

[f] Guic. lib. xiv. 183. Mém. de Bellay, p. 38, etc.

quainted with the great neglect of economy in the administration of the king's finances, and who knew how much the troops in the Milanese had already suffered from the want of their pay, refused to set out, unless the sum of three hundred thousand crowns was immediately put into his hands. But the king, Louise of Savoy, his mother, and Semblancy, the superintendent of finances, having promised, even with an oath, that on his arrival at Milan he should find remittances for the sum which he demanded; upon the faith of this, he departed. Unhappily for France, Louise, a woman deceitful, vindictive, rapacious, and capable of sacrificing any thing to the gratification of her passions, but who had acquired an absolute ascendant over her son by her maternal tenderness, her care of his education, and her great abilities, was resolved not to perform this promise. Lautrec having incurred her displeasure by his haughtiness in neglecting to pay court to her, and by the freedom with which he had talked concerning some of her adventures in gallantry, she, in order to deprive him of the honour which he might have gained by a successful defence of the Milanese, seized the three hundred thousand crowns destined for that service, and detained them for her own use. 1521.

Lautrec, notwithstanding this cruel disappointment, found means to assemble a considerable army, though far inferior in number to that of the confederates. He adopted the plan of defence most suitable to his situation, avoiding a pitched battle with the greatest care, while he harassed the enemy continually with his light troops, beat up their quarters, intercepted their convoys, and covered or relieved every place which they attempted to attack. By this prudent conduct, he not only retarded their progress, but would have soon wearied out the pope, who had hitherto defrayed almost the whole expense of the war, as the emperor, whose revenues in Spain were dissipated during the commotions in that country, and who was obliged to support Progress of the imperialists.

1521. a numerous army in the Netherlands, could not make any considerable remittances into Italy. But an unforeseen accident disconcerted all his measures, and occasioned a fatal reverse in the French affairs. A body of twelve thousand Swiss served in Lautrec's army under the banners of the republic, with which France was in alliance. In consequence of a law, no less political than humane, established among the cantons, their troops were never hired out by public authority to both the contending parties in any war. This law, however, the love of gain had sometimes eluded, and private persons had been allowed to enlist in what service they pleased, though not under the public banners, but under those of their particular officers. The cardinal of Sion, who still preserved his interest among his countrymen, and his enmity to France, having prevailed on them to connive at a levy of this kind, twelve thousand Swiss, instigated by him, joined the army of the confederates. But the leaders in the cantons, when they saw so many of their countrymen marching under the hostile standards, and ready to turn their arms against each other, became so sensible of the infamy to which they would be exposed by permitting this, as well as the loss they might suffer, that they despatched couriers, commanding their people to leave both armies, and to return forthwith into their own country. The cardinal of Sion, however, had the address, by corrupting the messengers appointed to carry this order, to prevent it from being delivered to the Swiss in the service of the confederates; but being intimated in due form to those in the French army, they, fatigued with the length of the campaign, and murmuring for want of pay, instantly yielded obedience, in spite of Lautrec's remonstrances and entreaties.

After the desertion of a body which formed the strength of his army, Lautrec durst no longer face the confederates. He retired towards Milan, encamped on the banks of the Adda, and placed his chief hopes of

safety in preventing the enemy from passing that river; an expedient for defending a country so precarious, that there are few instances of its being employed with success against any general of experience or abilities. Accordingly Colonna, notwithstanding Lautrec's vigilance and activity, passed the Adda with little loss, and obliged him to shut himself up within the walls of Milan, which the confederates were preparing to besiege, when an unknown person, who never afterwards appeared either to boast of this service, or to claim a reward for it, came from the city, and acquainted Morone, that if the army would advance that night, the ghibelline, or imperial faction, would put them in possession of one of the gates. Colonna, though no friend to rash enterprises, allowed the marquis de Pescara to advance with the Spanish infantry, and he himself followed with the rest of his troops. About the beginning of night, Pescara arriving at the Roman gate in the suburbs, surprised the soldiers whom he found there; those posted in the fortifications adjoining to it, immediately fled; the marquis seizing the works which they abandoned, and pushing forward incessantly, though with no less caution than vigour, became master of the city with little bloodshed, and almost without resistance; the victors being as much astonished as the vanquished at the facility and success of the attempt. Lautrec retired precipitately towards the Venetian territories with the remains of his shattered army; the cities of the Milanese, following the fate of the capital, surrendered to the confederates; Parma and Placentia were united to the ecclesiastical state; and of all their conquests in Lombardy, only the town of Cremona, the castle of Milan, and a few inconsiderable forts, remained in the hands of the French [g].

1521.

Become masters of Milan.

Léo received the accounts of this rapid succession

[g] Guic. lib. xiv. 190, etc. Mém. de Bellay, 42, etc. Galeacii Capella de reb. gest. pro restitut. Fran. Sfortiæ Comment ap. Scardium, vol. ii. 180, etc.

1521. of prosperous events with such transports of joy, as brought on, if we may believe the French historians, a slight fever, which, being neglected, occasioned his death on the second of December, while he was still of a vigorous age and at the height of his glory. By this unexpected accident, the spirit of the confederacy was broken, and its operations suspended. The cardinals of Sion and Medici left the army that they might be present in the conclave; the Swiss were recalled by their superiors; some other mercenaries disbanded for want of pay; and only the Spaniards, and a few Germans in the emperor's service, remained to defend the Milanese. But Lautrec, destitute both of men and of money, was unable to improve this favourable opportunity in the manner which he would have wished.

Death of Leo the tenth.

1522. The vigilance of Morone, and the good conduct of Colonna, disappointed his feeble attempts on the Milanese. Guicciardini, by his address and valour, repulsed a bolder and more dangerous attack which he made on Parma[h].

Adrian elected pope.

Great discord prevailed in the conclave, which followed upon Leo's death, and all the arts natural to men grown old in intrigue, when contending for the highest prize an ecclesiastic can obtain, were practised. Wolsey's name, notwithstanding all the emperor's magnificent promises to favour his pretensions, of which that prelate did not fail to remind him, was hardly mentioned in the conclave. Julio cardinal de' Medici, Leo's nephew, who was more eminent than any other member of the sacred college for his abilities, his wealth, and his experience, in transacting great affairs, had already secured fifteen voices, a number sufficient, according to the forms of the conclave, to exclude any other candidate, though not to carry his own election. As he was still in the prime of life, all the aged cardinals combined against him, without being united in

[h] Guic. lib. xiv. 214.

favour of any other person. While these factions were endeavouring to gain, to corrupt, or to weary out each other, Medici and his adherents voted one morning at the scrutiny, which, according to form was made every day, for cardinal Adrian of Utrecht, who at that time governed Spain in the emperor's name. This they did merely to protract time. But the adverse party instantly closing with them, to their own amazement and that of all Europe, a stranger to Italy, unknown to the persons who gave their suffrages in his favour, and unacquainted with the manners of the people, or the interest of the state, the government of which they conferred upon him, was unanimously raised to the papal throne, at a juncture so delicate and critical, as would have demanded all the sagacity and experience of one of the most able prelates in the sacred college. The cardinals themselves, unable to give a reason for this strange choice, on account of which, as they marched in procession from the conclave they were loaded with insults and curses by the Roman people, ascribed it to an immediate impulse of the Holy Ghost. It may be imputed with greater certainty to the influence of don John Manuel, the imperial ambassador, who by his address and intrigues facilitated the election of a person devoted to his master's service, from gratitude, from interest, and from inclination[i]. 1522. January 9.

Beside the influence which Charles acquired by Adrian's promotion, it threw great lustre on his administration. To bestow on his preceptor such a noble recompense, and to place on the papal throne one whom he had raised from obscurity, were acts of uncommon magnificence and power. Francis observed, with the sensibility of a rival, the preeminence which the emperor was gaining, and resolved to exert himself with fresh vigour, in order to wrest from him his late War renewed in the Milanese.

[i] Herm. Moringi Vita Hadriani, ap. Casp. Burman. in Analect. de Hadr. p. 52. Conclave Hadr. ibid. p. 144, etc.

1522. conquests in Italy. The Swiss, that they might make some reparation to the French king, for having withdrawn their troops from his army so unseasonably, as to occasion the loss of the Milanese, permitted him to levy ten thousand men in the republic. Together with this reinforcement, Lautrec received from the king a small sum of money, which enabled him once more to take the field; and, after seizing by surprise, or force, several places in the Milanese, to advance within a few miles of the capital. The confederate army was in no condition to obstruct its progress; for though the inhabitants of Milan, by the artifices of Morone, and by the popular declamations of a monk whom he employed, were inflamed with such enthusiastic zeal against the French government, that they consented to raise extraordinary contributions, Colonna must soon have abandoned the advantageous camp which he had chosen at Bicocca, and have dismissed his troops for want of pay, if the Swiss in the French service had not once more extricated him out of his difficulties.

The French defeated in the battle of Bicocca.

The insolence or caprice of those mercenaries was often no less fatal to their friends, than their valour and discipline were formidable to their enemies. Having now served some months without pay, of which they complained loudly, a sum destined for their use was sent from France under a convoy of horse; but Morone, whose vigilant eye nothing escaped, posted a body of troops in their way, so that the party which escorted the money durst not advance. On receiving intelligence of this, the Swiss lost all patience, and officers as well as soldiers, crowding around Lautrec, threatened with one voice instantly to retire, if he did not either advance the pay which was due, or promise to lead them next morning to battle. In vain did Lautrec remonstrate against these demands, representing to them the impossibility of the former, and the rashness of the latter, which must be attended with certain destruction, as the enemy occupied a camp naturally of

great strength, and which by art they had rendered almost inaccessible. The Swiss, deaf to reason, and persuaded that their valour was capable of surmounting every obstacle, renewed their demand with great fierceness, offering themselves to form the vanguard, and to begin the attack. Lautrec, unable to overcome their obstinacy, complied with their request, hoping, perhaps, that some of those unforeseen accidents which so often determine the fate of battles might crown this rash enterprise with undeserved success; and convinced that the effects of a defeat could not be more fatal than those which would certainly follow upon the retreat of a body which composed one half of his army. Next morning the Swiss were early in the field, and marched with the greatest intrepidity against an enemy deeply intrenched on every side, surrounded with artillery, and prepared to receive them. As they advanced, they sustained a furious cannonade with great firmness; and, without waiting for their own artillery, rushed impetuously upon the intrenchments. But after incredible efforts of valour, which were seconded with great spirit by the French, having lost their bravest officers and best soldiers, and finding that they could make no impression on the enemy's works, they sounded a retreat; leaving the field of battle, however, like men repulsed, but not vanquished, in close array, and without receiving any molestation from the enemy. 1522. May.

Next day, such as survived set out for their own country; and Lautrec, despairing of being able to make any farther resistance, retired into France, after throwing garrisons into Cremona and a few other places; all which, except the citadel of Cremona, Colonna soon obliged to surrender. Driven out of the Milanese;

Genoa, however, and its territories, remaining subject to France, still gave Francis considerable footing in Italy, and made it easy for him to execute any scheme for the recovery of the Milanese. But Colonna, rendered enterprising by continual success, and lose Genoa.

1522. excited by the solicitations of the faction of the Adorni, the hereditary enemies of the Fregosi, who, under the protection of France, possessed the chief authority in Genoa, determined to attempt the reduction of that state; and accomplished it with amazing facility. He became master of Genoa by an accident as unexpected as that which had given him possession of Milan; and, almost without opposition or bloodshed, the power of the Adorni, and the authority of the emperor, were established in Genoa[k].

Henry the eighth declares war against France. May 29.

Such a cruel succession of misfortunes affected Francis with deep concern, which was not a little augmented by the unexpected arrival of an English herald, who, in the name of his sovereign, declared war in form against France. This step was taken in consequence of the treaty which Wolsey had concluded with the emperor at Bruges, and which had hitherto been kept secret. Francis, though he had reason to be surprised with this denunciation, after having been at such pains to sooth Henry and to gain his minister, received the herald with great composure and dignity[l]; and, without abandoning any of the schemes which he was forming against the emperor, began vigorous preparations for resisting this new enemy. His treasury, however, being exhausted by the efforts which he had already made, as well as by the sums he expended on his pleasures, he had recourse to extraordinary expedients for supplying it. Several new offices were created and exposed to sale; the royal demesnes were alienated; unusual taxes were imposed; and the tomb of St. Martin was stripped of a rail of massive silver, with which Louis the eleventh, in one of his fits of devotion, had encircled it. By means of these expedients he was enabled to levy a considerable army, and to put the frontier towns in a good posture of defence.

[k] Jovii Vita Ferdin. Davali, p. 344. Guic. lib. xiv. 233.

[l] Journal de Louise de Savoie, p. 119.

1522.

Charles visits England.

The emperor, meanwhile, was no less solicitous to draw as much advantage as possible from the accession of such a powerful ally; and the prosperous situation of his affairs, at this time, permitting him to set out for Spain, where his presence was extremely necessary, he visited the court of England in his way to that country. He proposed by this interview not only to strengthen the bonds of friendship which united him with Henry, and to excite him to push the war against France with vigour, but hoped to remove any disgust or resentment that Wolsey might have conceived on account of the mortifying disappointment which he had met with in the late conclave. His success exceeded his most sanguine expectations; and by his artful address, during a residence of six weeks in England, he gained not only the king and the minister, but the nation itself. Henry, whose vanity was sensibly flattered by such a visit, as well as by the studied respect with which the emperor treated him on every occasion, entered warmly into all his schemes. The cardinal foreseeing, from Adrian's age and infirmities, a sudden vacancy in the papal see, dissembled or forgot his resentment; and as Charles, besides augmenting the pensions which he had already settled on him, renewed his promise of favouring his pretensions to the papacy with all his interest, he endeavoured to merit the former, and to secure the accomplishment of the latter by fresh services. The nation, sharing in the glory of its monarch, and pleased with the confidence which the emperor placed in the English, by creating the earl of Surrey his high-admiral, discovered no less inclination to commence hostilities than Henry himself.

The English invade France,

In order to give Charles, before he left England, a proof of this general ardour, Surrey sailed with such forces as were ready, and ravaged the coasts of Normandy. He then made a descent on Bretagne, where he plundered and burnt Morlaix, and some other places of less consequence. After these slight

1522. excursions, attended with greater dishonour than damage to France, he repaired to Calais, and took the command of the principal army, consisting of sixteen thousand men; with which, having joined the Flemish troops under the count de Buren, he advanced into Picardy. The army which Francis had assembled was far inferior in number to these united bodies. But during the long wars between the two nations, the French had discovered the proper method of defending their country against the English. They had been taught by their misfortunes to avoid a pitched battle with the utmost care, and to endeavour by throwing garrisons into every place capable of resistance, by watching all the enemy's motions, by intercepting their convoys, attacking their advanced posts, and harassing them continually with their numerous cavalry, to ruin them with the length of the war, or to beat them by piecemeal. This plan the duke of Vendôme, the French general in Picardy, pursued with no less prudence than success; and not only prevented Surrey from taking any town of importance, but obliged him to retire with his army greatly reduced by fatigue, by want of provisions, and by the loss which it had sustained in several unsuccessful skirmishes.

with little success.

Thus ended the second campaign, in a war the most general that had hitherto been kindled in Europe; and though Francis, by his mother's ill-timed resentment, by the disgusting insolence of his general, and the caprice of the mercenary troops which he employed, had lost his conquests in Italy, yet all the powers combined against him, had not been able to make any impression on his hereditary dominions; and wherever they either intended or attempted an attack, he was well prepared to receive them.

Solyman's conquest of Rhodes.

While the christian princes were thus wasting each other's strength, Solyman the magnificent entered Hungary with a numerous army, and investing Belgrade, which was deemed the chief barrier of that kingdom

against the Turkish arms, soon forced it to surrender. 1522.
Encouraged by this success, he turned his victorious arms against the island of Rhodes, the seat, at that time, of the knights of St. John of Jerusalem. This small state he attacked with such a numerous army, as the lords of Asia have been accustomed, in every age, to bring into the field. Two hundred thousand men, and a fleet of four hundred sail, appeared against a town defended by a garrison consisting of five thousand soldiers, and six hundred knights, under the command of Villers de l'Isle Adam, the grand master, whose wisdom and valour rendered him worthy of that station at such a dangerous juncture. No sooner did he begin to suspect the destination of Solyman's vast armaments, than he despatched messengers to all the christian courts, imploring their aid against the common enemy. But though every prince, in that age, acknowledged Rhodes to be the great bulwark of christendom in the east, and trusted to the gallantry of its knights as the best security against the progress of the Ottoman arms; though Adrian, with a zeal which became the head and father of the church, exhorted the contending powers to forget their private quarrels, and, by uniting their arms, to prevent the infidels from destroying a society which did honour to the christian name; yet so violent and implacable was the animosity of both parties, that, regardless of the danger to which they exposed all Europe, and unmoved by the entreaties of the grand master, or the admonitions of the pope, they suffered Solyman to carry on his operations against Rhodes without disturbance. The grand master, after incredible efforts of courage, of patience, and of military conduct, during a siege of six months; after sustaining many assaults, and disputing every post with amazing obstinacy, was obliged at last to yield to numbers; and, having obtained an honourable capitulation from the sultan, who admired and respected his virtue, he surrendered the town, which was reduced to a heap

1522. of rubbish, and destitute of every resource[m]. Charles and Francis, ashamed of having occasioned such a loss to christendom by their ambitious contests, endeavoured to throw the blame of it on each other, while all Europe, with greater justice, imputed it equally to both. The emperor, by way of reparation, granted the knights of St. John the small island of Malta, in which they fixed their residence, retaining, though with less power and splendour, their ancient spirit, and implacable enmity to the infidels.

[m] Fontanus de Bello Rhodio, ap. Scard. Script. Rer. German. vol. ii. p. 88. P. Barre. Hist. d'Allem. tome viii. 57.

THE HISTORY

OF

THE REIGN OF THE EMPEROR

CHARLES THE FIFTH.

THE THIRD BOOK.

CHARLES, having had the satisfaction of seeing hostilities begun between France and England, took leave of Henry, and arrived in Spain on the seventeenth of June. He found that country just beginning to recover order and strength after the miseries of a civil war, to which it had been exposed during his absence; an account of the rise and progress of which, as it was but little connected with the other events which happened in Europe, hath been reserved to this place. 1522. Civil war in Castile.

No sooner was it known that the cortes assembled in Galicia had voted the emperor a 'free gift,' without obtaining the redress of any one grievance, than it excited universal indignation. The citizens of Toledo, who considered themselves, on account of the great privileges which they enjoyed, as guardians of the liberties of the Castilian commons, finding that no regard was paid to the remonstrances of their deputies against that unconstitutional grant, took arms with tumultuary violence, and, seizing the gates of the city, which were fortified, attacked the alcazar, or castle, which they soon obliged the governor to surrender. Emboldened by this success, they deprived of all authority every Insurrection of Toledo; May, 1520.

1522. person whom they suspected of any attachment to the court, established a popular form of government, composed of deputies from the several parishes in the city, and levied troops in their own defence. The chief leader of the people, in these insurrections, was don John de Padilla, the eldest son of the commendator of Castile, a young nobleman of a generous temper, of undaunted courage, and possessed of the talents, as well as of the ambition, which, in times of civil discord, raise men to power and eminence[a].

of Segovia. The resentment of the citizens of Segovia produced effects still more fatal. Tordesillas, one of their representatives in the late cortes, had voted for the donative; and, being a bold and haughty man, ventured, upon his return, to call together his fellow-citizens in the great church, that he might give them, according to custom, an account of his conduct in that assembly. But the multitude, unable to bear his insolence, in attempting to justify what they thought inexcusable, burst open the gates of the church with the utmost fury, and, seizing the unhappy Tordesillas, dragged him through the streets, with a thousand curses and insults, towards the place of public execution. In vain did the dean and canons come forth in procession with the holy sacrament, in order to appease their rage. In vain did the monks of those monasteries by which they passed, conjure them, on their knees, to spare his life, or at least to allow him time to confess, and to receive absolution of his sins. Without listening to the dictates either of humanity or religion, they cried out, "That the hangman alone could absolve such a traitor to his country:" they then hurried him along with greater violence; and perceiving that he had expired under their hands, they hung him up with his head downwards on the common gibbet[b]. The same spirit seized the inhabitants of Burgos, Zamora, and several other cities; and

[a] Sandov. p. 77. [b] P. Mart. Ep. 671.

though their representatives, taking warning from the fate of Tordesillas, had been so wise as to save themselves by a timely flight, they were burnt in effigy, their houses razed to the ground, and their effects consumed with fire; and such was the horrour, which the people had conceived against them, as betrayers of the public liberty, that not one in those licentious multitudes would touch any thing, however valuable, which had belonged to them[c]. 1522.

Measures of Adrian, in order to punish them. June 5, 1520.

Adrian, at that time regent of Spain, had scarcely fixed the seat of his government at Valladolid, when he was alarmed with an account of these insurrections. He immediately assembled the privy council to deliberate concerning the proper method of suppressing them. The counsellors differed in opinion; some insisting that it was necessary to check this audacious spirit in its infancy by a severe execution of justice; others advising to treat with lenity a people who had some reason to be incensed, and not to drive them beyond all the bounds of duty by an ill-timed rigour. The sentiments of the former being warmly supported by the archbishop of Granada, president of the council, a person of great authority, but choleric and impetuous, were approved by Adrian, whose zeal to support his master's authority hurried him into a measure, to which, from his natural caution and timidity, he would otherwise have been averse. He commanded Ronquillo, one of the king's judges, to repair instantly to Segovia, which had set the first example of mutiny, and to proceed against the delinquents according to law; and, lest the people should be so outrageous as to resist his authority, a considerable body of troops was appointed to attend him. The Segovians, foreseeing what they might expect from a judge so well known for his austere and unforgiving temper, took arms with one consent, and having mustered twelve thousand men, shut their

His troops repulsed at Segovia,

[c] Sandov. 103. P. Mart. Ep. 674.

1522. gates against him. Ronquillo, enraged at this insult, denounced them rebels and outlaws, and, his troops seizing all the avenues to the town, hoped that it would soon be obliged to surrender for want of provisions. The inhabitants, however, defended themselves with vigour; and, having received a considerable reinforcement from Toledo, under the command of Padilla, attacked Ronquillo, and forced him to retire with the loss of his baggage and military chest[d].

and at Medina del Campo.

Upon this, Adrian ordered Antonio de Fonseca, whom the emperor had appointed commander in chief of the forces in Castile, to assemble an army, and to besiege Segovia in form. But the inhabitants of Medina del Campo, where cardinal Ximenes had established a vast magazine of military stores, would not suffer him to draw from it a train of battering cannon, or to destroy their countrymen with those arms which had been prepared against the enemies of the kingdom. Fonseca, who could not execute his orders without artillery, determined to seize the magazine by force; and the citizens standing on their defence, he assaulted the town with great briskness; but his troops were so warmly received, that, despairing of carrying the place,

Aug. 21. he set fire to some of the houses, in hopes that the citizens would abandon the walls in order to save their families and effects. Instead of that, the expedient to which he had recourse served only to increase their fury, and he was repulsed with great disgrace; while the flames, spreading from street to street, reduced to ashes almost the whole town, one of the most considerable at that time in Spain, and the great mart for the manufactories of Segovia and several other cities. As the warehouses were then filled with goods for the approaching fair, the loss was immense, and was felt universally. This, added to the impression which such a cruel action made on a people long unaccustomed to

[d] Sandov. 112. P. Mart. Ep. 679. Miniana, Contin. p. 15.

the horrours of civil war, enraged the Castilians almost to madness. Fonseca became the object of general hatred, and was branded with the name of incendiary, and enemy to his country. Even the citizens of Valladolid, whom the presence of the cardinal had hitherto restrained, declared that they could no longer remain inactive spectators of the sufferings of their countrymen. Taking arms with no less fury than the other cities, they burnt Fonseca's house to the ground, elected new magistrates, raised soldiers, appointed officers to command them, and guarded their walls with as much diligence as if an enemy had been ready to attack them. 1522.

Adrian disbands his troops.

The cardinal, though virtuous and disinterested, and capable of governing the kingdom with honour in times of tranquillity, possessed neither the courage nor the sagacity necessary at such a dangerous juncture. Finding himself unable to check these outrages, committed under his own eye, he attempted to appease the people, by protesting that Fonseca had exceeded his orders, and had by his rash conduct offended him, as much as he had injured them. This condescension, the effect of irresolution and timidity, rendered the malecontents bolder and more insolent; and the cardinal having soon after recalled Fonseca, and dismissed his troops, which he could no longer afford to pay, as the treasury, drained by the rapaciousness of the Flemish ministers, had received no supply from the great cities, which were all in arms, the people were left at full liberty to act without control, and scarcely any shadow of power remained in his hands.

The views and pretensions of the commons of Castile.

Nor were the proceedings of the commons the effect merely of popular and tumultuary rage; they aimed at obtaining redress of their political grievances, and an establishment of public liberty on a secure basis, objects worthy of all the zeal which they discovered in contending for them. The feudal government in Spain was, at that time, in a state more favourable to liberty

1522. than in any other of the great European kingdoms. This was owing chiefly to the number of great cities in that country; a circumstance I have already taken notice of, and which contributes more than any other to mitigate the rigour of the feudal institutions, and to introduce a more liberal and equal form of government. The inhabitants of every city formed a great corporation, with valuable immunities and privileges; they were delivered from a state of subjection and vassalage; they were admitted to a considerable share in the legislature; they had acquired the arts of industry, without which cities cannot subsist; they had accumulated wealth, by engaging in commerce; and, being free and independent themselves, were ever ready to act as the guardians of the public freedom and independence. The genius of the internal government established among the inhabitants of cities, which, even in countries where despotic power prevails most, is democratical and republican, rendered the idea of liberty familiar and dear to them. Their representatives in the cortes were accustomed, with equal spirit, to check the encroachments of the king and the oppression of the nobles. They endeavoured to extend the privileges of their own order; they laboured to shake off the remaining incumbrances with which the spirit of feudal policy, favourable only to the nobles, had burthened them; and conscious of being one of the most considerable orders in the state, were ambitious of becoming the most powerful.

Their confederacy by the name of the holy junta.

The present juncture appeared favourable for pushing any new claim. Their sovereign was absent from his dominions; by the ill conduct of his ministers he had lost the esteem and affection of his subjects; the people, exasperated by many injuries, had taken arms, though without concert, almost by general consent; they were animated with rage capable of carrying them to the most violent extremes; the royal treasury was exhausted; the kingdom destitute of troops; and the

government committed to a stranger, of great virtue indeed, but of abilities unequal to such a trust. The first care of Padilla, and the other popular leaders who observed and determined to improve these circumstances, was to establish some form of union or association among the malecontents, that they might act with greater regularity, and pursue one common end; and as the different cities had been prompted to take arms by the same motives, and were accustomed to consider themselves as a distinct body from the rest of the subjects, they did not find this difficult. A general convention was appointed to be held at Avila. Deputies appeared there in name of almost all the cities entitled to have representatives in the cortes. They all bound themselves, by solemn oath, to live and die in the service of the king, and in defence of the privileges of their order; and assuming the name of the 'holy junta,' or association, proceeded to deliberate concerning the state of the nation, and the proper method of redressing its grievances. The first that naturally presented itself was the nomination of a foreigner to be regent; this they declared with one voice to be a violation of the fundamental laws of the kingdom, and resolved to send a deputation of their members to Adrian, requiring him in their name to lay aside all the ensigns of his office, and to abstain for the future from the exercise of a jurisdiction which they had pronounced illegal[e]. 1522. They disclaim Adrian's authority;

While they were preparing to execute this bold resolution, Padilla accomplished an enterprise of the greatest advantage to the cause. After relieving Segovia, he marched suddenly to Tordesillas, the place where the unhappy queen Joanna had resided since the death of her husband, and, being favoured by the inhabitants, was admitted into the town, and became master of her person, for the security of which Adrian get possession of queen Joanna. Aug. 29.

[e] P. Mart. Ep. 691.

1522. had neglected to take proper precautions[f]. Padilla waited immediately upon the queen, and, accosting her with that profound respect which she exacted from the few persons whom she deigned to admit into her presence, acquainted her at large with the miserable condition of her Castilian subjects under the government of her son, who being destitute of experience himself, permitted his foreign ministers to treat them with such rigour as had obliged them to take arms in defence of the liberties of their country. The queen, as if she had been awakened out of a lethargy, expressed great astonishment at what he said, and told him, that as she had never heard, until that moment, of the death of her father, or known the sufferings of her people, no blame could be imputed to her, but that now she would take care to provide a sufficient remedy; "and in the mean time," added she, "let it be your concern to do what is necessary for the public welfare." Padilla, too eager in forming a conclusion agreeable to his wishes, mistook this lucid interval of reason for a perfect return of that faculty; and, acquainting the junta with what had happened, advised them to remove to Tordesillas, and to hold their meetings in that place. This was instantly done; but though Joanna received very graciously an address of the junta, beseeching her to take upon herself the government of the kingdom, and, in token of her compliance, admitted all the deputies to kiss her hand; though she was present at a tournament held on that occasion, and seemed highly satisfied with both these ceremonies, which were conducted with great magnificence in order to please her; she soon relapsed into her former melancholy and sullenness, and could never be brought, by any arguments or entreaties, to sign any one paper necessary for the despatch of business[g].

[f] Vita dell' Imper. Car. V. dell' Alf. Ulloa. Ven. 1509, p. 67. Miniana, Contin. p. 17.

[g] Sandov. 164. P. Mart. Ep. 685, 686.

1522.

The junta, concealing as much as possible this last circumstance, carried on all their deliberations in the name of Joanna; and as the Castilians, who idolized the memory of Isabella, retained a wonderful attachment to her daughter, no sooner was it known that she had consented to assume the reins of government, than the people expressed the most universal and immoderate joy; and, believing her recovery to be complete, ascribed it to a miraculous interposition of heaven, in order to rescue their country from the oppression of foreigners. The junta, conscious of the reputation and power which they had acquired by seeming to act under the royal authority, were no longer satisfied with requiring Adrian to resign the office of regent; they detached Padilla to Valladolid with a considerable body of troops, ordering him to seize such members of the council as were still in that city, to conduct them to Tordesillas, and to bring away the seals of the kingdom, the public archives, and treasury books. Padilla, who was received by the citizens as the deliverer of his country, executed his commission with great exactness; permitting Adrian, however, still to reside in Valladolid, though only as a private person, and without any shadow of power [h].

carry on government in her name,

and deprive Adrian of all power.

The emperor, to whom frequent accounts of these transactions were transmitted while he was still in Flanders, was sensible of his own imprudence, and that of his ministers, in having despised too long the murmurs and remonstrances of the Castilians. He beheld, with deep concern, a kingdom the most valuable of any he possessed, and in which lay the strength and sinews of his power, just ready to disown his authority, and on the point of being plunged in all the miseries of civil war. But though his presence might have averted this calamity, he could not, at that time, visit Spain without endangering the imperial

The emperor alarmed.

[h] Sandov. 174. P. Mart. Ep. 791.

1522. crown, and allowing the French king full leisure to execute his ambitious schemes. The only point now to be deliberated upon, was, whether he should attempt to gain the malecontents by indulgence and concessions, or prepare directly to suppress them by force; and he resolved to make trial of the former, while, at the same time, if that should fail of success, he prepared for the latter. For this purpose, he issued circular letters to all the cities of Castile, exhorting them in most gentle terms, and with assurances of full pardon, to lay down their arms; he promised such cities as had continued faithful, not to exact from them the subsidy granted in the late cortes, and offered the same favour to such as returned to their duty; he engaged that no office should be conferred for the future upon any but native Castilians. On the other hand, he wrote to the nobles, exciting them to appear with vigour in defence of their own rights, and those of the crown, against the exorbitant claims of the commons; he appointed the high admiral don Fadrique Enriquez, and the high constable of Castile, don Inigo de Valasco, two noblemen of great abilities as well as influence, regents of the kingdom in conjunction with Adrian; and he gave them full power and instructions, if the obstinacy of the malecontents should render it necessary, to vindicate the royal authority by force of arms[i].

His measures with respect to the malecontents.

These concessions, which, at the time of his leaving Spain, would have fully satisfied the people, came now too late to produce any effect. The junta, relying on the unanimity with which the nation submitted to their authority, elated with the success which hitherto had accompanied all their undertakings, and seeing no military force collected to defeat or obstruct their designs, aimed at a more thorough reformation of political abuses. They had been employed, for some time, in

The large remonstrance of the junta concerning their grievances.

[i] P. Heuter. Rer. Austr. lib. viii. c. 6. p. 188.

preparing a remonstrance, containing a large enume- 1522.
ration not only of the grievances of which they craved redress, but of such new regulations as they thought necessary for the security of their liberties. This remonstrance, which is divided into many articles, relating to all the different members of which the constitution was composed, as well as the various departments in the administration of government, furnishes us with more authentic evidence concerning the intentions of the junta, than can be drawn from the testimony of the later Spanish historians, who lived in times when it became fashionable, and even necessary, to represent the conduct of the malecontents in the worst light, and as flowing from the worst motives. After a long preamble concerning the various calamities under which the nation groaned, and the errours and corruption in government to which these were to be imputed, they take notice of the exemplary patience wherewith the people had endured them, until self-preservation, and the duty which they owed to their country, had obliged them to assemble, in order to provide in a legal manner for their own safety, and that of the constitution: for this purpose they demanded that the king would be pleased to return to his Spanish dominions and reside there, as all their former monarchs had done; that he would not marry but with consent of the cortes; that if he should be obliged at any time to leave the kingdom, it shall not be lawful to appoint any foreigner to be regent; that the present nomination of cardinal Adrian to that office shall instantly be declared void; that he would not, at his return, bring along with him any Flemings or other strangers; that no foreign troops shall, on any pretence whatever, be introduced into the kingdom; that none but natives shall be capable of holding any office or benefice either in church or state; that no foreigner shall be naturalized; that free quarters shall not be granted to soldiers, nor to the members of the

1522. king's household, for any longer time than six days, and that only when the court is in a progress; that all the taxes shall be reduced to the same state they were in at the death of queen Isabella; that all alienations of the royal demesnes or revenues since the queen's death shall be resumed; that all new offices created since that period shall be abolished; that the subsidy granted by the late cortes in Galicia shall not be exacted; that in all future cortes each city shall send one representative of the clergy, one of the gentry, and one of the commons, each to be elected by his own order; that the crown shall not influence or direct any city with regard to the choice of its representatives; that no member of the cortes shall receive an office or pension from the king, either for himself or for any of his family, under pain of death, and confiscation of his goods; that each city or community shall pay a competent salary to its representative for his maintenance during his attendance on the cortes; that the cortes shall assemble once in three years at least, whether summoned by the king or not, and shall then inquire into the observation of the articles now agreed upon, and deliberate concerning public affairs; that the rewards which have been given or promised to any of the members of the cortes held in Galicia, shall be revoked; that it shall be declared a capital crime to send gold, silver, or jewels out of the kingdom; that judges shall have fixed salaries assigned them, and shall not receive any share of the fines and forfeitures of persons condemned by them; that no grant of the goods of persons accused shall be valid, if given before sentence was pronounced against them; that all privileges which the nobles have at any time obtained, to the prejudice of the commons, shall be revoked; that the government of cities or towns shall not be put into the hands of noblemen; that the possessions of the nobility shall be subject to all public taxes in the same manner as those of the commons; that an inquiry be

made into the conduct of such as have been intrusted with the management of the royal patrimony since the accession of Ferdinand; and if the king do not within thirty days appoint persons properly qualified for that service, it shall be lawful for the cortes to nominate them; that indulgences shall not be preached or dispersed in the kingdom until the cause of publishing them be examined and approved of by the cortes; that all the money arising from the sale of indulgences shall be faithfully employed in carrying on war against the infidels; that such prelates as do not reside in their dioceses six months in the year, shall forfeit their revenues during the time they are absent; that the ecclesiastical judges and their officers shall not exact greater fees than those which are paid in the secular courts; that the present archbishop of Toledo, being a foreigner, be compelled to resign that dignity, which shall be conferred upon a Castilian; that the king shall ratify and hold, as good service done to him and to the kingdom, all the proceedings of the junta, and pardon any irregularities which the cities may have committed from an excess of zeal in a good cause: that he shall promise and swear in the most solemn manner to observe all these articles, and on no occasion attempt either to elude or to repeal them; and that he shall never solicit the pope or any other prelate to grant him a dispensation or absolution from this oath and promise [k]. 1522.

Such were the chief articles presented by the junta to their sovereign. As the feudal institutions in the several kingdoms of Europe were originally the same, the genius of those governments which arose from them bore a strong resemblance to each other, and the regulations which the Castilians attempted to establish on this occasion, differ little from those which other nations have laboured to procure in their struggles The spirit of liberty which it breathed,

[k] Sandov. 206. P. Mart. Ep. 686.

1522. with their monarchs for liberty. The grievances complained of, and the remedies proposed by the English commons in their contests with the princes of the house of Stuart, particularly resemble those upon which the junta now insisted. But the principles of liberty seem to have been better understood, at this period, by the Castilians, than by any other people in Europe; they had acquired more liberal ideas with respect to their own rights and privileges; they had formed more bold and generous sentiments concerning government; and discovered an extent of political knowledge to which the English themselves did not attain until more than a century afterwards.

It is not improbable, however, that the spirit of reformation among the Castilians, hitherto unrestrained by authority, and emboldened by success, became too impetuous, and prompted the junta to propose innovations which, by alarming the other members of the constitution, proved fatal to their cause. The nobles, who, instead of obstructing, had favoured or connived at their proceedings, while they confined their demands of redress to such grievances as had been occasioned by the king's want of experience, and by the imprudence and rapaciousness of his foreign ministers, were filled with indignation when the junta began to touch the privileges of their order, and plainly saw that the measures of the commons tended no less to break the power of the aristocracy, than to limit the prerogatives of the crown. The resentment which they had conceived on account of Adrian's promotion to the regency, abated considerably upon the emperor's raising the constable and admiral to joint power with him in that office; and as their pride and dignity were less hurt by suffering the prince to possess an extensive prerogative, than by admitting the high pretensions of the people, they determined to give their sovereign the assistance which he had demanded of them, and began to assemble their vassals for that purpose.

irritates the nobles.

The junta, meanwhile, expected with impatience the emperor's answer to their remonstrance, which they had appointed some of their number to present. The members intrusted with this commission set out immediately for Germany; but having received at different places certain intelligence from court, that they could not venture to appear there without endangering their lives, they stopped short in their journey, and acquainted the junta of the information which had been given them[1]. This excited such violent passions as transported the whole party beyond all bounds of prudence or of moderation. That a king of Castile should deny his subjects access into his presence, or refuse to listen to their humble petitions, was represented as an act of tyranny so unprecedented and intolerable, that nothing now remained but with arms in their hands to drive away that ravenous band of foreigners which encompassed the throne, who, after having devoured the wealth of the kingdom, found it necessary to prevent the cries of an injured people from reaching the ears of their sovereign. Many insisted warmly on approving a motion which had formerly been made, for depriving Charles, during the life of his mother, of the regal titles and authority which had been too rashly conferred upon him, from a false supposition of her total inability for government. Some proposed to provide a proper person to assist her in the administration of public affairs, by marrying the queen to the prince of Calabria, the heir of the Aragonese kings of Naples, who had been detained in prison since the time that Ferdinand had dispossessed his ancestors of their crown. All agreed that, as the hopes of obtaining redress and security merely by presenting their requests to their sovereign, had kept them too long in a state of inaction, and prevented them from taking

1522.

The deputies of the junta dare not present their remonstrances. Oct. 20.

Violent propositions of the junta.

[1] Sandov. 143.

1522. advantage of the unanimity with which the nation declared in their favour, it was now necessary to collect their whole force, and to exert themselves with vigour, in opposing this fatal combination of the king and the nobility against their liberties[m].

They take the field.

They soon took the field with twenty thousand men. Violent disputes arose concerning the command of this army. Padilla, the darling of the people and soldiers, was the only person whom they thought worthy of this honour. But don Pedro de Giron, the eldest son of the conde de Uruena, a young nobleman of the first order, having lately joined the commons out of private resentment against the emperor, the respect due to his

Nov. 23. birth, together with a secret desire of disappointing Padilla, of whose popularity many members of the junta had become jealous, procured him the office of general; though he soon gave them a fatal proof that he possessed neither the experience, the abilities, nor the steadiness which that important station required.

The regents and nobles arm.

The regents, meanwhile, appointed Rioseco as the place of rendezvous for their troops, which, though far inferior to those of the commons in number, excelled them greatly in discipline and in valour. They had drawn a considerable body of regular and veteran infantry out of Navarre. Their cavalry, which formed the chief strength of their army, consisted mostly of gentlemen accustomed to the military life, and animated with the martial spirit peculiar to their order in that age. The infantry of the junta was formed entirely of citizens and mechanics, little acquainted with the use of arms. The small body of cavalry which they had been able to raise, was composed of persons of ignoble birth, and perfect strangers to the service into which they entered. The character of the generals differed no less than that of their troops.

[m] P. Mart. Ep. 688.

The royalists were commanded by the conde de Haro, the constable's eldest son, an officer of great experience and of distinguished abilities. 1522.

Giron marched with his army directly to Rioseco, and, seizing the villages and passes around it, hoped that the royalists would be obliged either to surrender for want of provisions, or to fight with disadvantage before all their troops were assembled. But he had not the abilities, nor his troops the patience and discipline, necessary for the execution of such a scheme. The conde de Haro found little difficulty in conducting a considerable reinforcement through all his posts into the town; and Giron, despairing of being able to reduce it, advanced suddenly to Villapanda, a place belonging to the constable, in which the enemy had their chief magazine of provisions. By this ill-judged motion he left Tordesillas open to the royalists, whom the conde de Haro led thither in the night, with the utmost secrecy and despatch; and attacking the town, in which Giron had left no other garrison than a regiment of priests, raised by the bishop of Zamora, he, by break of day, forced his way into it after a desperate resistance, became master of the queen's person, took prisoners many members of the junta, and recovered the great seal, with the other ensigns of government. Imprudence and ill success of the general of the junta. Decemb. 5.

By this fatal blow, the junta lost all the reputation and authority which they had derived from seeming to act by the queen's commands; such of the nobles as had hitherto been wavering or undetermined in their choice, now joined the regents, with all their forces; and an universal consternation seized the partizans of the commons. This was much increased by the suspicions they began to entertain of Giron, whom they loudly accused of having betrayed Tordesillas to the enemy; and though that charge seems to have been destitute of foundation, the success of the royalists being owing to Giron's ill conduct rather than to his treachery, he so entirely lost credit with his party,

1522. that he resigned his commission, and retired to one of his castles[n].

The junta adhere to their system.

Such members of the junta as had escaped the enemy's hands at Tordesillas, fled to Valladolid; and as it would have required long time to supply the places of those who were prisoners by a new election, they made choice among themselves of a small number of persons, to whom they committed the supreme direction of affairs. Their army, which grew stronger every day by the arrival of troops from different parts of the kingdom, marched likewise to Valladolid; and Padilla being appointed commander in chief, the spirits of the soldiery revived; and the whole party, forgetting the late misfortune, continued to express the same ardent zeal for the liberties of their country, and the same implacable animosity against their oppressors.

Their expedients for raising money:

What they stood most in need of, was money to pay their troops. A great part of the current coin had been carried out of the kingdom by the Flemings; the stated taxes levied in times of peace were inconsiderable; commerce of every kind being interrupted by the war, the sum which it yielded decreased daily; and the junta were afraid of disgusting the people by burthening them with new impositions, to which, in that age, they were little accustomed. But from this difficulty they were extricated by donna Maria Pacheco, Padilla's wife, a woman of noble birth, of great abilities, of boundless ambition, and animated with the most ardent zeal in support of the cause of the junta. She, with a boldness superior to those superstitious fears which often influence her sex, proposed to seize all the rich and magnificent ornaments in the cathedral of Toledo; but lest that action, by its appearance of impiety, might offend the people, she and her retinue marched to the church in solemn procession, in mourning habits, with tears in their eyes, beating their

[n] Miscellaneous Tracts by Dr. Mich. Geddes, vol. i. p. 278.

breasts, and, falling on their knees, implored the pardon of the saints whose shrines she was about to violate. By this artifice, which screened her from the imputation of sacrilege, and persuaded the people that necessity and zeal for a good cause had constrained her, though with reluctance, to venture upon this action, she stripped the cathedral of whatever was valuable, and procured a considerable sum of money for the junta[o]. The regents, no less at a loss how to maintain their troops, the revenues of the crown having either been dissipated by the Flemings or seized by the commons, were obliged to take the queen's jewels, together with the plate belonging to the nobility, and apply them to that purpose; and when those failed, they obtained a small sum, by way of loan, from the king of Portugal[p]. 1522.

The nobility discovered great unwillingness to proceed to extremities with the junta. They were animated with no less hatred than the commons against the Flemings; they approved much of several articles in the remonstrance; they thought the juncture favourable, not only for redressing past grievances, but for rendering the constitution more perfect and secure by new regulations; they were afraid, that while the two orders, of which the legislature was composed, wasted each other's strength by mutual hostilities, the crown would rise to power on the ruin or weakness of both, and encroach no less on the independence of the nobles, than on the privileges of the commons. To this disposition were owing the frequent overtures of peace which the regents made to the junta, and the continual negotiations they carried on during the progress of their military operations. Nor were the terms which they offered unreasonable; for, on condition that the junta would pass from a few articles most subversive of the royal authority, or inconsistent with the rights

lose time in negotiations with the nobility.

[o] Sandov. 308. Dict. de Bayle, art. Padilla. [p] P. Mart. Ep. 718.

1522. of the nobility, they engaged to procure the emperor's consent to their other demands; which if he, through the influence of evil counsellors, should refuse, several of the nobles promised to join with the commons in their endeavours to extort it[q]. Such divisions, however, prevailed among the members of the junta, as prevented their deliberating calmly, or judging with prudence. Some of the cities which had entered into the confederacy, were filled with that mean jealousy and distrust of each other, which rivalship in commerce or in grandeur is apt to inspire; the constable, by his influence and promises, had prevailed on the inhabitants of Burgos to abandon the junta, and other noblemen had shaken the fidelity of some of the lesser cities; no person had arisen among the commons of such superior abilities or elevation of mind as to acquire the direction of their affairs; Padilla, their general, was a man of popular qualities, but distrusted for that reason by those of highest rank who adhered to the junta; the conduct of Giron led the people to view with suspicion every person of noble birth who joined their party; so that the strongest marks of irresolution, mutual distrust, and mediocrity of genius, appeared in all their proceedings at this time. After many consultations held concerning the terms proposed by the regents, they suffered themselves to be so carried away by resentment against the nobility, that, rejecting all thoughts of accommodation, they threatened to strip them of the crown lands, which they or their ancestors had usurped, and to reannex these to the royal domain. Upon this preposterous scheme, which would at once have annihilated all the liberties for which they had been struggling, by rendering the kings of Castile absolute and independent on their subjects, they were so intent, that they now exclaimed with less vehemence against the exactions of the fo-

[q] P. Mart. Ep. 695. 713. Geddes's Tracts, i. 261.

reign ministers, than against the exorbitant power and wealth of the nobles, and seemed to hope that they might make peace with Charles, by offering to enrich him with their spoils. 1522.

The success which Padilla had met with in several small rencounters, and in reducing some inconsiderable towns, helped to precipitate the members of the junta into this measure, filling them with such confidence in the valour of their troops, that they hoped for an easy victory over the royalists. Padilla, that his army might not remain inactive while flushed with good fortune, laid siege to Torrelobaton, a place of greater strength and importance than any that he had hitherto ventured to attack, and which was defended by a sufficient garrison; and though the besieged made a desperate resistance, and the admiral attempted to relieve them, he took the town by storm, and gave it up to be plundered by his soldiers. If he had marched instantly with his victorious army to Tordesillas, the head-quarters of the royalists, he could hardly have failed of making an effectual impression on their troops, whom he would have found in astonishment at the briskness of his operations, and far from being of sufficient strength to give him battle. But the fickleness and imprudence of the junta prevented his taking this step. Incapable, like all popular associations, either of carrying on war or making peace, they listened again to overtures of accommodation, and even agreed to a short suspension of arms. This negotiation terminated in nothing; but while it was carrying on, many of Padilla's soldiers, unacquainted with the restraints of discipline, went off with the booty which they had got at Torrelobaton; and others, wearied out by the unusual length of the campaign, deserted[r]. The constable too had leisure to assemble his forces at Burgos, and to prepare every thing for taking the field; and as soon as the truce expired, he effected a junction with the

Elated with their success in some small rencounters.

March 1, 1521.

Imprudence of their conduct.

[r] Sandov. 336.

1522. conde de Haro, in spite of all Padilla's efforts to prevent it. They advanced immediately towards Torrelobaton; and Padilla, finding the number of his troops so diminished that he durst not risk a battle, attempted to retreat to Toro; which if he could have accomplished, the invasion of Navarre at that juncture by the French, and the necessity which the regents must have been under of detaching men to that kingdom, might have saved him from danger. But Haro, sensible how fatal the consequences would be of suffering him to escape, marched with such rapidity at the head of his cavalry, that he came up with him near Villalar, and, without waiting for his infantry, advanced to the attack. Padilla's army, fatigued and disheartened by their precipitant retreat, which they could not distinguish from a flight, happened at that time to be passing over a ploughed field, on which such a violent rain had fallen, that the soldiers sunk almost to the knees at every step, and remained exposed to the fire of some field-pieces which the royalists had brought along with them. All these circumstances so disconcerted and intimidated raw soldiers, that, without facing the enemy, or making any resistance, they fled in the utmost confusion. Padilla exerted himself with extraordinary courage and activity in order to rally them, though in vain; fear rendering them deaf both to his threats and entreaties. Upon which, finding matters irretrievable, and resolving not to survive the disgrace of that day, and the ruin of his party, he rushed into the thickest of the enemy; but being wounded and dismounted, he was taken prisoner. His principal officers shared the same fate; the common soldiers were allowed to depart unhurt, the nobles being too generous to kill men who threw down their arms[s].

The nobles attack the army of the junta; April 23.

and defeat it.

[s] Sandov. 345, etc. P. Mart. Ep. 720. Miniana, Contin. p. 26. Epitome de la Vida y Hechos del Emper. Carlos V. por D. Juan Anton. de Vera y Zuniga, 4to. Madr. 1627. p. 19.

The resentment of his enemies did not suffer Padilla to linger long in expectation of what should befall him. Next day he was condemned to lose his head, though without any regular trial, the notoriety of the crime being supposed sufficient to supersede the formality of a legal process. He was led instantly to execution, together with don John Bravo, and don Francis Maldonada, the former commander of the Segovians, and the latter of the troops of Salamanca. Padilla viewed the approach of death with calm but undaunted fortitude; and when Bravo, his fellow-sufferer, expressed some indignation at hearing himself proclaimed a traitor, he checked him, by observing, "That yesterday was the time to have displayed the spirit of gentlemen, this day to die with the meekness of christians." Being permitted to write to his wife and to the community of Toledo, the place of his nativity, he addressed the former with a manly and virtuous tenderness, and the latter with the exultation natural to one who considered himself as a martyr for the liberties of his country[t]. After this, he submitted quietly to his fate.

1522.

Padilla, their general, put to death.

[t] The strain of these letters is so eloquent and high-spirited, that I have translated them for the entertainment of my readers:

THE LETTER OF DON JOHN PADILLA TO HIS WIFE.

"Senora,

"If your grief did not afflict me more than my own death, I should deem myself perfectly happy. For the end of life being certain to all men, the Almighty confers a mark of distinguishing favour upon that person, for whom he appoints a death such as mine, which, though lamented by many, is nevertheless acceptable unto him. It would require more time than I now have, to write any thing that could afford you consolation. That my enemies will not grant me, nor do I wish to delay the reception of that crown which I hope to enjoy. You may bewail your own loss, but not my death, which, being so honourable, ought not to be lamented by any. My soul, for nothing else is left to me, I bequeath to you. You will receive it, as the thing in this world which you value most. I do not write to my father Pero Lopez, because I dare not; for though I have shown myself to be his son in daring to lose my life, I have not been the heir of his good fortune. I will not attempt to say any thing more, that I may not tire the executioner, who waits for me; and that I may not excite a

1522. Most of the Spanish historians, accustomed to ideas of government, and of regal power, very different from those upon which he acted, have been so eager to testify their disapprobation of the cause in which he was engaged, that they have neglected, or have been afraid, to do justice to his virtues; and, by blackening his memory, have endeavoured to deprive him of that pity, which is seldom denied to illustrious sufferers.

Ruin of the party. The victory at Villalar proved as decisive as it was complete. Valladolid, the most zealous of all the associated cities, opened its gates immediately to the conquerors; and being treated with great clemency by the regents, Medina del Campo, Segovia, and many other towns, followed its example. This sudden dissolution of a confederacy, formed not upon slight disgusts, or upon trifling motives, into which the whole body of the

suspicion, that, in order to prolong my life, I lengthen out my letter. My servant Sosia, an eyewitness, and to whom I have communicated my most secret thoughts, will inform you of what I cannot now write; and thus I rest, expecting the instrument of your grief, and of my deliverance."

HIS LETTER TO THE CITY OF TOLEDO.

"To thee, the crown of Spain, and the light of the whole world, free from the time of the mighty Goths: to thee, who, by shedding the blood of strangers, as well as thy own blood, hast recovered liberty for thyself and thy neighbouring cities, thy legitimate son, Juan de Padilla, gives information, how by the blood of his body thy ancient victories are to be refreshed. If fate hath not permitted my actions to be placed among your successful and celebrated exploits, the fault hath been in my ill fortune, not in my good will. This I request of thee, as of a mother, to accept, since God hath given me nothing more to lose for thy sake, than that which I am now to relinquish. I am more solicitous about thy good opinion than about my own life. The shiftings of fortune, which never stands still, are many: but this I see with infinite consolation, that I, the least of thy children, suffer death for thee; and that thou hast nursed at thy breasts such as may take vengeance for my wrongs. Many tongues will relate the manner of my death, of which I am still ignorant, though I know it to be near. My end will testify what was my desire. My soul I recommend to thee as to the patroness of christianity. Of my body I say nothing, for it is not mine. I can write nothing more, for at this very moment I feel the knife at my throat, with greater dread of thy displeasure, than apprehension of my own pain." Sandov. Hist. vol. i. p. 478.

people had entered, and which had been allowed time to acquire a considerable degree of order and consistence by establishing a regular plan of government, is the strongest proof either of the inability of its leaders, or of some secret discord reigning among its members. Though part of that army by which they had been subdued, was obliged, a few days after the battle, to march towards Navarre, in order to check the progress of the French in that kingdom, nothing could prevail on the dejected commons of Castile to take arms again, and to embrace such a favourable opportunity of acquiring those rights and privileges for which they had appeared so zealous. The city of Toledo alone, animated by donna Maria Pacheco, Padilla's widow, who, instead of bewailing her husband with a womanish sorrow, prepared to revenge his death, and to prosecute that cause in defence of which he had suffered, must be excepted. Respect for her sex, or admiration for her courage and abilities, as well as sympathy with her misfortunes, and veneration for the memory of her husband, secured her the same ascendant over the people which he had possessed. The prudence and vigour with which she acted, justified that confidence they placed in her. She wrote to the French general in Navarre, encouraging him to invade Castile by the offer of powerful assistance. She endeavoured by her letters and emissaries to revive the spirit and hopes of the other cities. She raised soldiers, and exacted a great sum from the clergy belonging to the cathedral, in order to defray the expense of keeping them on foot[u]. She employed every artifice that could interest or inflame the populace. For this purpose she ordered crucifixes to be used by her troops instead of colours, as if they had been at war with the infidels and enemies of religion; she marched through the streets of Toledo with her son, a young

1522.

Padilla's wife defends Toledo with great spirit.

[u] P. Mart. Ep. 727.

1522. child, clad in deep mourning, seated on a mule, having a standard carried before him, representing the manner of his father's execution[x]. By all these means she kept the minds of the people in such perpetual agitation as prevented their passions from subsiding, and rendered them insensible of the dangers to which they were exposed, by standing alone in opposition to the royal authority. While the army was employed in Navarre, the regents were unable to attempt the reduction of Toledo by force; and all their endeavours, either to diminish donna Maria's credit with the people, or to gain her by large promises and the solicitations of her brother the marquis de Mondeiar, proved ineffectual. Upon the expulsion of the French out of Navarre, part of the army returned into Castile, and invested Toledo. Even this made no impression on the intrepid and obstinate courage of donna Maria. She defended the town with vigour, her troops in several sallies beat the royalists, and no progress was made towards reducing the place, until the clergy, whom she had highly offended by invading their property, ceased to support her. As soon as they received information of the death of William de Croy, archbishop of Toledo, whose possession of that see was their chief grievance, and that the emperor had named a Castilian to succeed him, they openly turned against her, and persuaded the people that she had acquired such influence over them by the force of enchantments, that she was assisted by a familiar demon which attended her in the form of a negro-maid, and that by its suggestions she regulated every part of her conduct[y]. The credulous multitude, whom their impatience of a long blockade, and despair of obtaining succours either from the cities formerly in confederacy with them, or from the French, rendered desirous of peace, took arms against her, and, driving her out of

[x] Sandov. 375.

[y] P. Mart. Ep. 727.

the city, surrendered it to the royalists. She retired to the citadel, which she defended with amazing fortitude four months longer; and when reduced to the last extremities, she made her escape in disguise, and fled to Portugal, where she had many relations [z]. 1522. Oct. 26.

Upon her flight the citadel surrendered. Tranquillity was reestablished in Castile; and this bold attempt of the commons, like all unsuccessful insurrections, contributed to confirm and extend the power of the crown, which it was intended to moderate and abridge. The cortes still continued to make a part of the Castilian constitution, and was summoned to meet whenever the king stood in need of money; but instead of adhering to their ancient and cautious form of examining and redressing public grievances before they proceeded to grant any supply, the more courtly custom of voting a donative in the first place was introduced, and the sovereign, having obtained all that he wanted, never allowed them to enter into any inquiry, or to attempt any reformation injurious to his authority. The privileges which the cities had enjoyed were gradually circumscribed or abolished; their commerce began from this period to decline; and becoming less wealthy and less populous, they lost that power and influence which they had acquired in the cortes. Feb. 10, 1522. Fatal effects of the civil war.

While Castile was exposed to the calamities of civil war, the kingdom of Valencia was torn by intestine commotions still more violent. The association which had been formed in the city of Valencia in the year one thousand five hundred and twenty, and which was distinguished by the name of the 'germanada,' continued to subsist after the emperor's departure from Spain. The members of it, upon pretext of defending the coasts against the descents of the corsairs of Barbary, and under sanction of that permission, which Charles had rashly granted them, refused to lay down their The progress of the insurrections in Valencia.

[z] Sandov. 375. P. Mart. Ep. 754. Ferrer. viii. 563.

1522. arms. But as the grievances, which the Valencians aimed at redressing, proceeded from the arrogance and exactions of the nobility, rather than from any unwarrantable exercise of the royal prerogative, their resentment turned chiefly against the former. As soon as they were allowed the use of arms, and became conscious of their own strength, they grew impatient to take vengeance of their oppressors. They drove the nobles out of most of the cities, plundered their houses, wasted their lands, and assaulted their castles. They then proceeded to elect thirteen persons, one from each company of tradesmen established at Valencia, and committed the administration of government to them, under pretext that they would reform the laws, establish one uniform mode of dispensing justice, without partiality or regard to the distinction of ranks, and thus restore men to some degree of their original equality.

The nobles were obliged to take arms in self-defence. Hostilities began, and were carried on with all the rancour with which resentment at oppression inspired the one party, and the idea of insulted dignity animated the other. As no person of honourable birth, or of liberal education, joined the germanada, the councils as well as troops of the confederacy were conducted by low mechanics, who acquired the confidence of an enraged multitude chiefly by the fierceness of their zeal and the extravagance of their proceedings. Among such men, the laws introduced in civilized nations, in order to restrain or moderate the violence of war, were unknown or despised; and they ran into the wildest excesses of cruelty and outrage.

The emperor, occupied with suppressing the insurrection in Castile, which more immediately threatened the subversion of his power and prerogative, was unable to give much attention to the tumults in Valencia, and left the nobility of that kingdom to fight their own battles. His viceroy, the conde de Melito, had the

supreme command of the forces which the nobles raised among the vassals. The germanada carried on the war during the years one thousand five hundred and twenty and twenty-one, with a more persevering courage, than could have been expected from a body so tumultuary, under the conduct of such leaders. They defeated the nobility in several actions, which, though not considerable, were extremely sharp. They repulsed them in their attempts to reduce different towns. But the nobles, by their superior skill in war, and at the head of troops more accustomed to service, gained the advantage in most of the rencounters. At length they were joined by a body of Castilian cavalry, which the regents despatched towards Valencia, soon after their victory over Padilla at Villalar, and by their assistance the Valencian nobles acquired such superiority, that they entirely broke and ruined the germanada. The leaders of the party were put to death, almost without any formality of legal trial, and suffered such cruel punishments, as the sense of recent injuries prompted their adversaries to inflict. The government of Valencia was reestablished in its ancient form[a]. 1522.

Appearances of disaffection in Aragon.

In Aragon, violent symptoms of the same spirit of disaffection and sedition, which reigned in the other kingdoms of Spain, began to appear; but by the prudent conduct of the viceroy, don John de Lanusa, they were so far composed as to prevent their breaking out into any open insurrection. But in the island of Majorca, annexed to the crown of Aragon, the same causes which had excited the commotions in Valencia, produced effects no less violent. The people, impatient of the hardships which they had endured under the rigid jurisdiction of the nobility, took arms in a tumultuary manner; deposed their viceroy; drove him out of the island; and massacred every gentleman who

Formidable insurrection in Majorca.

March 19, 1521.

[a] Argensola, Annales de Aragon, cap. 75. 90. 99. 118. Sayas, Annales de Aragon, cap. 5. 12, etc. P. Mart. Ep. lib. xxxiii. et xxxiv. passim. Ferrer. Hist. d'Espagne, viii. 542. 564, etc.

1522. was so unfortunate as to fall into their hands. The obstinacy with which the people of Majorca persisted in their rebellion, was equal to the rage with which they began it. Many and vigorous efforts were requisite in order to reduce them to obedience; and tranquillity was reestablished in every part of Spain, before the Majorcans could be brought to submit to their sovereign [b].

Causes which prevented the union of the malecontents.

While the spirit of disaffection was so general among the Spaniards, and so many causes concurred in precipitating them into such violent measures, in order to obtain the redress of their grievances, it may appear strange, that the malecontents in the different kingdoms should have carried on their operations without any mutual concert, or even any intercourse with each other. By uniting their councils and arms, they might have acted both with greater force and with more effect. The appearance of a national confederacy would have rendered it no less respectable among the people than formidable to the crown; and the emperor, unable to resist such a combination, must have complied with any terms which the members of it should have thought fit to prescribe. Many things, however, prevented the Spaniards from forming themselves into one body, and pursuing common measures. The people of the different kingdoms in Spain, though they were become the subjects of the same sovereign, retained, in full force, their national antipathy to each other. The remembrance of their ancient rivalship and hostilities was still lively, and the sense of reciprocal injuries so strong as to prevent them from acting with confidence and concert. Each nation chose rather to depend on its own efforts, and to maintain the struggle alone, than to implore the aid of neighbours whom they distrusted and hated. At the same time, the forms of

[b] Argensola, Annales de Aragon, cap. 113. Ferrer. Hist. viii. 542. Sayas, Annales de Aragon, cap. 7. 11. 14. 76. 81. Ferreras, Hist. d'Espagne, viii. 579, etc. 609.

government in the several kingdoms of Spain were so different, and the grievances of which they complained, as well as the alterations and amendments in policy which they attempted to introduce, so various, that it was not easy to bring them to unite in any common plan. To this disunion Charles was indebted for the preservation of the Spanish crowns; and while each of the kingdoms followed separate measures, they were all obliged at last to conform to the will of their sovereign. 1522.

The arrival of the emperor in Spain filled his subjects who had been in arms against him with deep apprehensions, from which he soon delivered them by an act of clemency, no less prudent than generous. After a rebellion so general, scarcely twenty persons, among so many criminals obnoxious to the law, had been punished capitally in Castile. Though strongly solicited by his council, Charles refused to shed any more blood by the hands of the executioner; and published a general pardon, extending to all crimes committed since the commencement of the insurrections, from which only fourscore persons were excepted. Even these he seems to have named, rather with an intention to intimidate others, than from any inclination to seize them; for, when an officious courtier offered to inform him where one of the most considerable among them was concealed, he avoided it by a good-natured pleasantry: "Go," says he, "I have now no reason to be afraid of that man; but he has some cause to keep at a distance from me, and you would be better employed in telling him that I am here, than in acquainting me with the place of his retreat[c]." By this appearance of magnanimity, as well as by his care to avoid every thing which had disgusted the Castilians during his former residence among them; by his ad-

The emperor's prudent and generous behaviour towards the malecontents.

Octob. 28.

[c] Sandov. 377, etc. Vida del Emper. Carlos, por Don Juan Anton. de Vera y Zuniga, p. 30.

1522. dress in assuming their manners, in speaking their language, and in complying with all their humours and customs, he acquired an ascendant over them which hardly any of their native monarchs had ever attained, and brought them to support him in all his enterprises with a zeal and valour to which he owed much of his success and grandeur [d].

Adrian sets out for Rome; and his ill reception there.

About the time that Charles landed in Spain, Adrian set out for Italy to take possession of his new dignity. But though the Roman people longed extremely for his arrival, they could not, on his first appearance, conceal their surprise and disappointment. After being accustomed to the princely magnificence of Julius, and the elegant splendour of Leo, they beheld with contempt an old man of an humble deportment, of austere manners, an enemy to pomp, destitute of taste in the arts, and unadorned with any of the external accomplishments which the vulgar expect in those raised to eminent stations [e]. Nor did his political views and maxims seem less strange and astonishing to the pontifical ministers. He acknowledged and bewailed the corruptions which abounded in the church, as well as in the court of Rome, and prepared to reform both; he discovered no intention of aggrandizing his family; he even scrupled at retaining such territories as some of his predecessors had acquired by violence or fraud, rather than by any legal title; and for that reason he invested Francesco Maria de Rovere anew in the dutchy of Urbino, of which Leo had stripped him, and surrendered to the duke of Ferrara several places wrested from him by the church [f]. To men little habituated to see princes regulate their conduct by the maxims of morality and the principles of justice, these actions of the new pope appeared incontestable proofs of his weakness or inexperience. Adrian, who was a

[d] Ulloa, Vita di Carlo V. p. 85.

[e] Guic. lib. xv. 238. Jovii Vita Adriani, 117. Bellefor. Epistr. des Princes, 84.

[f] Guic. lib. 240.

perfect stranger to the complex and intricate system of Italian politics, and who could place no confidence in persons whose subtile refinements in business suited so ill with the natural simplicity and candour of his own character, being often embarrassed and irresolute in his deliberations, the opinion of his incapacity daily increased, until both his person and government became objects of ridicule among his subjects[g]. 1522.

He endeavours to restore peace in Europe.

Adrian, though devoted to the emperor, endeavoured to assume the impartiality which became the common father of christendom, and laboured to reconcile the contending princes, in order that they might unite in a league against Solyman, whose conquest of Rhodes rendered him more formidable than ever to Europe[h]. But this was an undertaking far beyond his abilities. To examine such a variety of pretensions, to adjust such a number of interfering interests, to extinguish the passions which ambition, emulation, and mutual injuries had kindled, to bring so many hostile powers to pursue the same scheme with unanimity and vigour, required not only uprightness of intention, but great superiority both of understanding and address.

The Italian states were no less desirous of peace than the pope. The imperial army under Colonna was still kept on foot; but as the emperor's revenues in Spain, in Naples, and in the Low Countries, were either exhausted or applied to some other purpose, it depended entirely for pay and subsistence on the Italians. A great part of it was quartered in the ecclesiastical state, and monthly contributions were levied upon the Florentines, the Milanese, the Genoese, and Lucchese, by the viceroy of Naples; and though all exclaimed against such oppression, and were impatient to be delivered from it, the dread of worse consequences from the rage of the army, or the resentment of the emperor, obliged them to submit[i].

[g] Jov. Vita Adr. 118. P. Mart. Ep. 774. Ruscelli, Lettere de' Princ. vol. i. 87. 96. 101. [h] Bellefor. Epistr. p. 86. [i] Guic. lib. xv. 238.

1523. So much regard, however, was paid to the pope's exhortations, and to a bull which he issued, requiring all christian princes to consent to a truce for three years, that the imperial, the French, and English ambassadors at Rome were empowered by their respective courts to treat of that matter; but while they wasted their time in fruitless negotiations, their masters continued their preparations for war. The Venetians, who had hitherto adhered with great firmness to their alliance with Francis, being now convinced that his affairs in Italy were in a desperate situation, entered into a league against him with the emperor; to which Adrian, at the instigation of his countryman and friend Charles de Lannoy, viceroy of Naples, who persuaded him that the only obstacles to peace arose from the ambition of the French king, soon after acceded. The other Italian states followed their example; and Francis was left without a single ally to resist the efforts of so many enemies, whose armies threatened, and whose territories encompassed, his dominions on every side[k].

A new league against the French king.

June 28.

Francis's vigorous measures in opposition to it:

The dread of this powerful confederacy, it was thought, would have obliged Francis to keep wholly on the defensive, or at least have prevented his entertaining any thoughts of marching into Italy. But it was the character of that prince, too apt to become remiss and even negligent on ordinary occasions, to rouse at the approach of danger, and not only to encounter it with spirit and intrepidity, qualities which never forsook him, but to provide against it with diligence and industry. Before his enemies were ready to execute any of their schemes, Francis had assembled a numerous army. His authority over his own subjects was far greater than that which Charles or Henry possessed over theirs. They depended on their diets, their cortes, and their parliaments, for money, which was usually granted them in small sums, very slowly, and

[k] Guic. lib. xv. 241. 248.

with much reluctance. The taxes he could impose were more considerable, and levied with greater despatch; so that, on this, as well as on other occasions, he brought his armies into the field while they were only devising ways and means for raising theirs. Sensible of this advantage, Francis hoped to disconcert all the emperor's schemes by marching in person into the Milanese; and this bold measure, the more formidable because unexpected, could scarcely have failed of producing that effect. But when the vanguard of his army had already reached Lyons, and he himself was hastening after it with a second division of his troops, the discovery of a domestic conspiracy, which threatened the ruin of the kingdom, obliged him to stop short, and to alter his measures. 1523. suspended upon the discovery of the constable Bourbon's conspiracy.

The author of this dangerous plot was Charles duke of Bourbon, lord high constable, whose noble birth, vast fortune, and high office, raised him to be the most powerful subject in France, as his great talents, equally suited to the field or the council, and his signal services to the crown, rendered him the most illustrious and deserving. The near resemblance between the king and him in many of their qualities, both being fond of war, and ambitious to excel in manly exercises, as well as their equality in age, and their proximity of blood, ought naturally to have secured to him a considerable share in that monarch's favour. But unhappily Louise, the king's mother, had contracted a violent aversion to the house of Bourbon, for no better reason than because Anne of Bretagne, the queen of Louis the twelfth, with whom she lived in perpetual enmity, had discovered a peculiar attachment to that branch of the royal family; and had taught her son, who was too susceptible of any impression which his mother gave him, to view all the constable's actions with a mean and unbecoming jealousy. His distinguished merit at the battle of Marignano had not been sufficiently rewarded; he had been recalled from the government of His character. The causes of his disaffection.

1523. Milan upon very frivolous pretences, and had met with a cold reception, which his prudent conduct in that difficult station did not deserve; the payment of his pensions had been suspended without any good cause; and during the campaign of one thousand five hundred and twenty-one, the king, as has already been related, had affronted him in presence of the whole army, by giving the command of the van to the duke of Alençon. The constable, at first, bore these indignities with greater moderation than could have been expected from an high-spirited prince, conscious of what was due to his rank and to his services. Such a multiplicity of injuries, however, exhausted his patience; and inspiring him with thoughts of revenge, he retired from court, and began to hold a secret correspondence with some of the emperor's ministers.

About that time the dutchess of Bourbon happened to die without leaving any children. Louise, of a disposition no less amorous than vindictive, and still susceptible of the tender passions at the age of forty-six, began to view the constable, a prince as amiable as he was accomplished, with other eyes; and notwithstanding the great disparity of their years, she formed the scheme of marrying him. Bourbon, who might have expected every thing to which an ambitious mind can aspire, from the doting fondness of a woman who governed her son and the kingdom, being incapable either of imitating the queen in her sudden transition from hatred to love, or of dissembling so meanly as to pretend affection for one who had persecuted him so long with unprovoked malice, not only rejected the match, but imbittered his refusal by some severe raillery on Louise's person and character. She finding herself not only contemned, but insulted, her disappointed love turned into hatred, and since she could not marry, she resolved to ruin Bourbon.

For this purpose she consulted with the chancellor du Prat, a man, who, by a base prostitution of great

talents and of superior skill in his profession, had risen to that high office. By his advice a lawsuit was commenced against the constable, for the whole estate belonging to the house of Bourbon. Part of it was claimed in the king's name, as having fallen to the crown; part in that of Louise, as the nearest heir in blood of the deceased dutchess. Both these claims were equally destitute of any foundation in justice; but Louise, by her solicitations and authority, and du Prat, by employing all the artifices and chicanery of law, prevailed on the judges to order the estate to be sequestered. This unjust decision drove the constable to despair, and to measures which despair alone could have dictated. He renewed his intrigues in the imperial court; and, flattering himself that the injuries which he had suffered would justify his having recourse to any means in order to obtain revenge, he offered to transfer his allegiance from his natural sovereign to the emperor, and to assist him in the conquest of France. Charles, as well as the king of England, to whom the secret was communicated[1], expecting prodigious advantages from his revolt, were ready to receive him with open arms, and spared neither promises nor allurements which might help to confirm him in his resolution. The emperor offered him in marriage his sister Eleanor, the widow of the king of Portugal, with an ample portion. He was included as a principal in the treaty between Charles and Henry. The counties of Provence and Dauphiné were to be settled on him, with the title of king. The emperor engaged to enter France by the Pyrenees, and Henry, supported by the Flemings, to invade Picardy; while twelve thousand Germans, levied at their common charge, were to penetrate into Burgundy, and to act in concert with Bourbon, who undertook to raise six thousand men among his friends and vassals in the heart of the king-

1523.

His secret negotiations with the emperor

[1] Rymer's Fœder. xiii. 794.

1523. dom. The execution of this deep-laid and dangerous plot was suspended, until the king should cross the Alps with the only army capable of defending his dominions; and as he was far advanced in his march for that purpose, France was on the brink of destruction[m].

discovered: Happily for that kingdom, a negotiation which had now been carrying on for several months, though conducted with the most profound secrecy, and communicated only to a few chosen confidents, could not altogether escape the observation of the rest of the constable's numerous retainers, rendered more inquisitive by finding that they were distrusted. Two of these gave the king some intimation of a mysterious correspondence between their master and the count de Rœux, a Flemish nobleman of great confidence with the emperor. Francis, who could not bring himself to suspect that the first prince of the blood would be so base as to betray the kingdom to its enemies, immediately repaired to Moulins, where the constable was in bed, feigning indisposition, that he might not be obliged to accompany the king into Italy, and acquainted him of the intelligence which he had received. Bourbon, with great solemnity, and the most imposing affectation of ingenuity and candour, asserted his own innocence; and as his health, he said, was now more confirmed, he promised to join the army within a few days. Francis, open and candid himself, and too apt to be deceived by the appearance of those virtues in others, gave such credit to what he said, that he refused to arrest him, although advised to take that precaution by his wisest counsellors; and, as if the danger had been over, he continued his march towards Lyons.

September. The constable set out soon after, seemingly with an intention to follow him; but turning suddenly to the left

flies to Italy. he crossed the Rhone, and, after infinite fatigue and peril, escaped all the parties which the king, who be-

[m] Thuani Hist. lib. i. c. 10. Heuter. Rerum Austr. lib. viii. c. 18. p. 207.

came sensible too late of his own credulity, sent out to intercept him, and reached Italy in safety[n]. 1523.

Francis took every possible precaution to prevent the bad effects of the irreparable errour which he had committed. He put garrisons in all the places of strength in the constable's territories. He seized all the gentlemen whom he could suspect of being his associates; and as he had not hitherto discovered the whole extent of the conspirator's schemes, nor knew how far the infection had spread among his subjects, he was afraid that his absence might encourage them to make some desperate attempt, and for that reason relinquished his intention of leading his army in person into Italy.

He did not, however, abandon his design on the Milanese; but appointed admiral Bonnivet to take the supreme command in his stead, and to march into that country with an army thirty thousand strong. Bonnivet did not owe this preferment to his abilities as a general; for of all the talents requisite to form a great commander, he possessed only personal courage, the lowest and the most common. But he was the most accomplished gentleman in the French court, of agreeable manners and insinuating address, and a sprightly conversation; and Francis, who lived in great familiarity with his courtiers, was so charmed with these qualities, that he honoured him, on all occasions, with the most partial and distinguished marks of his favour. He was, besides, the implacable enemy of Bourbon; and as the king hardly knew whom to trust at that juncture, he thought the chief command could be lodged nowhere so safely as in his hands. French invade the Milanese.

Colonna, who was intrusted with the defence of the Milanese, his own conquest, was in no condition to resist such a formidable army. He was destitute of Their ill conduct.

[n] Mém. de Bellay, p. 64, etc. Pasquier, Recherches de la France, p. 481.

1523. money sufficient to pay his troops, which were reduced to a small number by sickness or desertion, and had, for that reason, been obliged to neglect every precaution necessary for the security of the country. The only plan which he formed was to defend the passage of the river Tessino against the French; and, as if he had forgotten how easily he himself had disconcerted a similar scheme formed by Lautrec, he promised with great confidence on its being effectual. But, in spite of all his caution, it succeeded no better with him than with Lautrec. Bonnivet passed the river without loss, at a ford which had been neglected, and the imperialists retired to Milan, preparing to abandon the town as soon as the French should appear before it. By an unaccountable negligence, which Guicciardini imputes to infatuation[o], Bonnivet did not advance for three or four days, and lost the opportunity with which his good fortune presented him. The citizens recovered from their consternation; Colonna, still active at the age of fourscore, and Morone, whose enmity to France rendered him indefatigable, were employed night and day in repairing the fortifications, in amassing provisions, in collecting troops from every quarter; and, by the time the French approached, had put the city in a condition to stand a siege. Bonnivet, after some fruitless attempts on the town, which harassed his own troops more than the enemy, was obliged, by the inclemency of the season, to retire into winter-quarters.

Death of Adrian the sixth.

During these transactions, pope Adrian died; an event so much to the satisfaction of the Roman people, whose hatred or contempt of him augmented every day, that the night after his decease they adorned the door of his chief physician's house with garlands, adding this inscription: TO THE DELIVERER OF HIS COUNTRY[p]. The cardinal de' Medici instantly renewed his pretensions to the papal dignity, and

[o] Guic. lib. xv. 254.

[p] Jovii Vit. Adr. 127.

entered the conclave with high expectations on his own part, and a general opinion of the people that they would be successful. But though supported by the imperial faction, possessed of great personal interest, and capable of all the artifices, refinements, and corruption, which reign in those assemblies, the obstinacy and intrigues of his rivals protracted the conclave to the unusual length of fifty days. The address and perseverance of the cardinal at last surmounted every obstacle. He was raised to the head of the church, and assumed the government of it by the name of Clement the seventh. The choice was universally approved of. High expectations were conceived of a pope, whose great talents and long experience in business seemed to qualify him no less for defending the spiritual interests of the church, exposed to imminent danger by the progress of Luther's opinions, than for conducting its political operations with the prudence requisite at such a difficult juncture; and who, besides these advantages, rendered the ecclesiastical state more respectable, by having in his hands the government of Florence, together with the wealth of the family of Medici[q].

1523.

Election of Clement the seventh. Nov. 28.

Cardinal Wolsey, not disheartened by the disappointment of his ambitious views at the former election, had entertained more sanguine hopes of success on this occasion. Henry wrote to the emperor, reminding him of his engagements to second the pretensions of his minister. Wolsey bestirred himself with activity suitable to the importance of the prize for which he contended, and instructed his agents at Rome to spare neither promises nor bribes in order to gain his end. But Charles had either amused him with vain hopes which he never intended to gratify, or he judged it impolitic to oppose a candidate who had such a prospect of succeeding, as Medici; or perhaps

Wolsey disappointed, and filled with resentment.

[q] Guic. lib. xv. 263.

1523. the cardinals durst not venture to provoke the people of Rome, while their indignation against Adrian's memory was still fresh, by placing another 'ultramontane' on the papal throne. Wolsey, after all his expectations and endeavours, had the mortification to see a pope elected of such an age, and of so vigorous a constitution, that he could not derive much comfort to himself from the chance of surviving him. This second proof fully convinced Wolsey of the emperor's insincerity, and it excited in him all the resentment which an haughty mind feels on being at once disappointed and deceived; and though Clement endeavoured to sooth his vindictive nature by granting him a commission to be legate in England during life, with such ample powers as vested in him almost the whole papal jurisdiction in that kingdom, the injury he had now received made such an impression as entirely dissolved the tie which had united him to Charles, and from that moment he meditated revenge. It was necessary, however, to conceal his intention from his master, and to suspend the execution of it, until, by a dexterous improvement of the incidents which might occur, he should be able gradually to alienate the king's affections from the emperor. For this reason, he was so far from expressing any uneasiness on account of the repulse which he had met with, that he abounded on every occasion, private as well as public, in declarations of his high satisfaction with Clement's promotion[r].

Henry's operations in France,

Henry had, during the campaign, fulfilled, with great sincerity, whatever he was bound to perform by the league against France, though more slowly than he could have wished. His thoughtless profusion, and total neglect of economy, reduced him often to great straits for money. The operations of war were now carried on in Europe in a manner very different from

[r] Fiddes's Life of Wolsey, 294, etc. Herbert.

that which had long prevailed. Instead of armies suddenly assembled, which, under distinct chieftains, followed their prince into the field for a short space, and served at their own cost, troops were now levied at great charge, and received regularly considerable pay. Instead of impatience on both sides to bring every quarrel to the issue of a battle, which commonly decided the fate of open countries, and allowed the barons, together with their vassals, to return to their ordinary occupations; towns were fortified with great art, and defended with much obstinacy; war, from a very simple, became a very intricate science; and campaigns grew of course to be more tedious and less decisive. The expense which these alterations in the military system necessarily created, appeared intolerable to nations hitherto unaccustomed to the burthen of heavy taxes. Hence proceeded the frugal, and even parsimonious spirit of the English parliaments in that age, which Henry, with all his authority, was seldom able to overcome. The commons, having refused at this time to grant him the supplies which he demanded, he had recourse to the ample and almost unlimited prerogative which the kings of England then possessed, and, by a violent and unusual exertion of it, raised the money he wanted. This, however, wasted so much time, that it was late in the season before his army, under the duke of Suffolk, could take the field. Being joined by a considerable body of Flemings, Suffolk marched into Picardy; and Francis, from his extravagant eagerness to recover the Milanese, having left that frontier almost unguarded, he penetrated as far as the banks of the river Oyse, within eleven leagues of Paris, filling that capital with consternation. But the arrival of some troops detached by the king, who was still at Lyons; the active gallantry of the French officers, who allowed the allies no respite night or day; the rigour of a most unnatural season, together with scarcity of provisions, compelled Suffolk

1523.

Sept. 20.

1523. November. to retire; and la Tremouille, who commanded in those parts, had the glory not only of having checked the progress of a formidable army with an handful of men, but of driving them with ignominy out of the French territories[s].

and those of the Germans and Spaniards. The emperor's attempts upon Burgundy and Guienne were not more fortunate, though in both these provinces Francis was equally ill prepared to resist them. The conduct and valour of his generals supplied his want of foresight; the Germans, who made an irruption into one of these provinces, and the Spaniards, who attacked the other, were repulsed with great disgrace.

End of the campaign. Thus ended the year one thousand five hundred and twenty-three, during which Francis's good fortune and success had been such as gave all Europe an high idea of his power and resources. He had discovered and disconcerted a dangerous conspiracy, the author of which he had driven into exile, almost without an attendant; he had rendered abortive all the schemes of the powerful confederacy formed against him; he had protected his dominions when attacked on three different sides; and though his army in the Milanese had not made such progress as might have been expected from its superiority to the enemy in number, he had recovered, and still kept possession of, one half of that dutchy.

1524. Sentiments of the new pope. Feb. 27. The ensuing year opened with events more disastrous to France. Fontarabia was lost by the cowardice or treachery of its governor. In Italy, the allies resolved on an early and vigorous effort in order to dispossess Bonnivet of that part of the Milanese which lies beyond the Tessino. Clement, who, under the pontificates of Leo and Adrian, had discovered an implacable enmity to France, began now to view the power which the emperor was daily acquiring in Italy,

[s] Herbert. Mém. de Bellay, 73, etc.

with so much jealousy, that he refused to accede, as his predecessors had done, to the league against Francis, and, forgetting private passions and animosities, laboured with the zeal which became his character, to bring about a reconciliation among the contending parties. But all his endeavours were ineffectual; a numerous army, to which each of the allies furnished their contingent of troops, was assembled at Milan by the beginning of March. Lannoy, viceroy of Naples, took the command of it upon Colonna's death, though the chief direction of military operations was committed to Bourbon and the marquis de Pescara; the latter the ablest and most enterprising of the imperial generals; the former inspired by his resentment with new activity and invention, and acquainted so thoroughly with the characters of the French commanders, the genius of their troops, and the strength as well as weakness of their armies, as to be of infinite service to the party which he had joined. But all these advantages were nearly lost, through the emperor's inability to raise money sufficient for executing the various and extensive plans which he had formed. When his troops were commanded to march, they mutinied against their leaders, demanding the pay which was due to them for some months; and, disregarding both the menaces and entreaties of their officers, threatened to pillage the city of Milan, if they did not instantly receive satisfaction. Out of this difficulty the generals of the allies were extricated by Morone, who prevailing on his countrymen, over whom his influence was prodigious, to advance the sum that was requisite, the army took the field[t].

1524.

Imperial army ready to take the field early:

retarded by a mutiny of the troops.

Bonnivet was destitute of troops to oppose this army, and still more of the talents which could render him an equal match for its leaders. After various movements and encounters, described with great accuracy by the

The French obliged to abandon the Milanese.

[t] Guic. lib. xv. 267. Capella, 190.

1524. contemporary historians, a detail of which would now be equally uninteresting and uninstructive, he was forced to abandon the strong camp in which he had entrenched himself at Biagrassa. Soon after, partly by his own misconduct, partly by the activity of the enemy, who harassed and ruined his army by continual skirmishes, while they carefully declined a battle, which he often offered them; and partly by the caprice of six thousand Swiss, who refused to join his army, though within a day's march of it; he was reduced to the necessity of attempting a retreat into France, through the valley of Aost. Just as he arrived on the banks of the Sessia, and began to pass that river, Bourbon and Pescara appeared with the vanguard of the allies, and attacked his rear with great fury. At the beginning of the charge, Bonnivet, while exerting himself with much valour, was wounded so dangerously that he was obliged to quit the field; and the conduct of the rear was committed to the chevalier Bayard, who, though so much a stranger to the arts of a court that he never rose to the chief command, was always called, in times of real danger, to the post of greatest difficulty and importance. He put himself at the head of the men at arms; and animating them by his presence and example to sustain the whole shock of the enemy's troops, he gained time for the rest of his countrymen to make good their retreat.

Death of the chevalier Bayard, and ruin of the French army.

But in this service he received a wound which he immediately perceived to be mortal; and being unable to continue any longer on horseback, he ordered one of his attendants to place him under a tree with his face towards the enemy; then fixing his eyes on the guard of his sword, which he held up instead of a cross, he addressed his prayers to God, and in this posture, which became his character both as a soldier and as a christian, he calmly awaited the approach of death. Bourbon, who led the foremost of the enemy's troops, found him in this situation, and expressed regret and

pity at the sight. "Pity not me," cried the high-spirited chevalier, "I die as a man of honour ought, in the discharge of my duty: they, indeed, are objects of pity, who fight against their king, their country, and their oath." The marquis de Pescara, passing soon after, manifested his admiration of Bayard's virtues, as well as his sorrow for his fate, with the generosity of a gallant enemy; and, finding that he could not be removed with safety from that spot, ordered a tent to be pitched there, and appointed proper persons to attend him. He died, notwithstanding their care, as his ancestors for several generations had done, in the field of battle. Pescara ordered his body to be embalmed, and sent to his relations; and such was the respect paid to military merit in that age, that the duke of Savoy commanded it to be received with royal honours in all the cities of his dominions; in Dauphiné, Bayard's native country, the people of all ranks came out in a solemn procession to meet it[u]. 1524.

Bonnivet led back the shattered remains of his army into France; and in one short campaign Francis was stripped of all he had possessed in Italy, and left without one ally in that country.

Progress of the reformation in Germany.

While the war, kindled by the emulation of Charles and Francis, spread over so many countries of Europe, Germany enjoyed a profound tranquillity, extremely favourable to the reformation, which continued to make progress daily. During Luther's confinement in his retreat at Wartburg, Carlostadius, one of his disciples, animated with the same zeal, but possessed of less prudence and moderation than his master, began to propagate wild and dangerous opinions, chiefly among the lower people. Encouraged by his exhortations, they rose in several villages of Saxony, broke into the churches with tumultuary violence, and threw down

[u] Bellefor. Epistr. p. 73. Mém. de Bellay, 75. Oeuv. de Brant. tom. vi. p. 108, etc. Pasquier, Recherches, p. 526.

1524. and destroyed the images with which they were adorned. Those irregular and outrageous proceedings were so repugnant to all the elector's cautious maxims, that, if they had not received a timely check, they could hardly have failed of alienating from the reformers a prince, no less jealous of his own authority, than afraid of giving offence to the emperor, and other patrons of the ancient opinions. Luther, sensible of the danger, immediately quitted his retreat, without waiting for Frederic's permission, and returned to Wittemberg. Happily for the reformation, the veneration for his person and authority was still so great, that his appearance alone suppressed that spirit of extravagance which began to seize his party. Carlostadius and his fanatical followers, struck dumb by his rebukes, submitted at once, and declared that they heard the voice of an angel, not of a man[x].

March 6, 1522.

Luther translates the bible.

Before Luther left his retreat, he had begun to translate the bible into the German tongue, an undertaking of no less difficulty than importance, of which he was extremely fond, and for which he was well qualified: he had a competent knowledge of the original languages; a thorough acquaintance with the style and sentiments of the inspired writers; and though his compositions in Latin were rude and barbarous, he was reckoned a great master of the purity of his mother tongue, and could express himself with all the elegance of which it is capable. By his own assiduous application, together with the assistance of Melancthon and several other of his disciples, he finished part of the new testament in the year one thousand five hundred and twenty-two; and the publication of it proved more fatal to the church of Rome, than that of all his own works. It was read with wonderful avidity and attention by persons of every rank. They were astonished at discovering how contrary the precepts of the author

[x] Sleid. Hist. p. 51. Seckend. p. 195.

of our religion are, to the inventions of those priests who pretended to be his vicegerents; and having now in their hand the rule of faith, they thought themselves qualified, by applying it, to judge of the established opinions, and to pronounce when they were conformable to the standard, or when they departed from it. The great advantages arising from Luther's translation of the bible, encouraged the advocates for reformation, in the other countries of Europe, to imitate his example, and to publish versions of the scriptures in their respective languages. 1524.

About this time Nuremberg, Francfort, Hamburgh, and several other free cities in Germany, of the first rank, openly embraced the reformed religion, and by the authority of their magistrates abolished the mass, and the other superstitious rites of popery[y]. The elector of Brandenburgh, the dukes of Brunswick and Lunenburgh, and prince of Anhalt, became avowed patrons of Luther's opinions, and countenanced the preaching of them among their subjects. Several cities abolish the rites of the popish church

The court of Rome beheld this growing defection with great concern; and Adrian's first care, after his arrival in Italy, had been to deliberate with the cardinals, concerning the proper means of putting a stop to it. He was profoundly skilled in scholastic theology; and having been early celebrated on that account, he still retained such an excessive admiration of the science to which he was first indebted for his reputation and success in life, that he considered Luther's invectives against the schoolmen, particularly Thomas Aquinas, as little less than blasphemy. All the tenets of that doctor appeared to him so clear and irrefragable, that he supposed every person who called in question or contradicted them, to be either blinded by ignorance, or to be acting in opposition to the conviction of his own mind. Of course, no pope was ever Measures employed by Adrian in order to check the progress of the reformation.

[y] Seckend. p. 241. Chytræi Contin. Krantzii, p. 203.

1524. more bigoted or inflexible with regard to points of doctrine than Adrian; he not only maintained them as Leo had done, because they were ancient, or because it was dangerous for the church to allow of innovations, but he adhered to them with the zeal of a theologian, and with the tenaciousness of a disputant. At the same time his own manners being extremely simple, and uninfected with any of the vices which reigned in the court of Rome, he was as sensible of its corruptions as the reformers themselves, and viewed them with no less indignation. The brief which he addressed to the diet of the empire assembled at Nuremberg, and the instructions which he gave Cheregato, the nuncio whom he sent thither, were framed agreeably to these views. On the one hand, he condemned Luther's opinions with more asperity and rancour of expression than Leo had ever used; he severely censured the princes of Germany for suffering him to spread his pernicious tenets, by their neglecting to execute the edict of the diet at Worms; and required them, if Luther did not instantly retract his errours, to destroy him with fire as a gangrened and incurable member, in like manner as Dathan and Abiram had been cut off by Moses, Ananias and Sapphira by the apostles, and John Huss and Jerome of Prague by their ancestors[z]. On the other hand, he, with great candour, and in the most explicit terms, acknowledged the corruptions of the Roman court to be the source from which had flowed most of the evils that the church now felt or dreaded; he promised to exert all his authority towards reforming these abuses, with as much despatch as the nature and inveteracy of the disorders would admit; and he requested of them to give him their advice with regard to the most effectual means of suppressing that new heresy which had sprung up among them[a].

November, 1522.

[z] Fascic. Rer. expet. et fugiend. p. 342.

[a] Ibid. p. 345.

1524.

Diet of Nuremberg propose a general council as the proper remedy.

The members of the diet, after praising the pope's pious and laudable intentions, excused themselves for not executing the edict of Worms, by alleging that the prodigious increase of Luther's followers, as well as the aversion to the court of Rome among their other subjects on account of its innumerable exactions, rendered such an attempt not only dangerous, but impossible. They affirmed that the grievances of Germany, which did not arise from imaginary injuries, but from impositions no less real than intolerable, as his holiness would learn from a catalogue of them which they intended to lay before him, called now for some new and efficacious remedy; and, in their opinion, the only remedy adequate to the disease, or which afforded them any hopes of seeing the church restored to soundness and vigour, was a general council. Such a council, therefore, they advised him, after obtaining the emperor's consent, to assemble, without delay, in one of the great cities of Germany, that all who had right to be present might deliberate with freedom, and propose their opinions with such boldness, as the dangerous situation of religion at this juncture required [b].

Artifices of the nuncio to elude it.

The nuncio, more artful than his master, and better acquainted with the political views and interests of the Roman court, was startled at the proposition of a council, and easily foresaw how dangerous such an assembly might prove, at a time when many openly denied the papal authority, and the reverence and submission yielded to it visibly declined among all. For that reason he employed his utmost address in order to prevail on the members of the diet to proceed themselves with greater severity against the lutheran heresy, and to relinquish their proposal concerning a general council to be held in Germany. They, perceiving the nuncio to be more solicitous about the interests of the Roman court, than the tranquillity of the empire, or purity of

[b] Fascic. Rer. expet. et fugiend. p. 346.

1524. the church, remained inflexible, and continued to prepare the catalogue of their grievances to be presented to the pope[c]. The nuncio, that he might not be the bearer of a remonstrance so disagreeable to his court, left Nuremberg abruptly, without taking leave of the diet[d].

The diet present a list of an hundred grievances to the pope.

The secular princes accordingly, for the ecclesiastics, although they gave no opposition, did not think it decent to join with them, drew up the list, so famous in the German annals, of an hundred grievances, which the empire imputed to the iniquitous dominion of the papal see. This list contained grievances much of the same nature with that prepared under the reign of Maximilian. It would be tedious to enumerate each of them; they complained of the sums exacted for dispensations, absolutions, and indulgences; of the expense arising from the lawsuits carried by appeal to Rome; of the innumerable abuses occasioned by reservations, commendams, and annates; of the exemption from civil jurisdiction which the clergy had obtained; of the arts by which they brought all secular causes under the cognizance of the ecclesiastical judges; of the indecent and profligate lives which not a few of the clergy led; and of various other particulars, many of which have already been mentioned among the circumstances that contributed to the favourable reception, or to the quick progress, of Luther's doctrines. In the end they concluded, that if the holy see did not speedily deliver them from those intolerable burthens, they had determined to endure them no longer, and would employ the power and authority with which God had intrusted them, in order to procure relief[e].

The recess of the diet. March 6, 1523.

Instead of such severities against Luther and his followers as the nuncio had recommended, the 'recess' or edict of the diet contained only a general injunction to

[c] Fascic. Rer. expet. et fugiend. p. 349.
[d] Ibid. p. 376.
[e] Ibid. p. 354.

all ranks of men to wait with patience for the determinations of the council which was to be assembled, and in the mean time not to publish any new opinions contrary to the established doctrines of the church; together with an admonition to all preachers to abstain from matters of controversy in their discourses to the people, and to confine themselves to the plain and instructive truths of religion [f]. 1524.

The reformers derived great advantage from the transactions of this diet, as they afforded them the fullest and most authentic evidence that gross corruptions prevailed in the court of Rome, and that the empire was loaded by the clergy with insupportable burthens. With regard to the former, they had now the testimony of the pope himself, that their invectives and accusations were not malicious or ill-founded. As to the latter, the representatives of the Germanic body, in an assembly where the patrons of the new opinions were far from being the most numerous or powerful, had pointed out as the chief grievances of the empire, those very practices of the Romish church against which Luther and his disciples were accustomed to declaim. Accordingly, in all their controversial writings after this period, they often appealed to Adrian's declaration, and to the hundred grievances, in confirmation of whatever they advanced concerning the dissolute manners, or insatiable ambition and rapaciousness, of the papal court. This diet of great benefit to the reformation.

At Rome, Adrian's conduct was considered as a proof of the most childish simplicity and imprudence. Men trained up amidst the artifices and corruptions of the papal court, and accustomed to judge of actions not by what was just, but by what was useful, were astonished at a pontiff, who, departing from the wise maxims of his predecessors, acknowledged disorders which he ought to have concealed; and, forgetting his own Adrian's conduct censured at Reme.

[f] Fascic. Rer. expet. et fugiend. p. 348.

1524. dignity, asked advice of those to whom he was entitled to prescribe. By such an excess of impolitic sincerity, they were afraid that, instead of reclaiming the enemies of the church, he would render them more presumptuous, and, instead of extinguishing heresy, would weaken the foundations of the papal power, or stop the chief sources from which wealth flowed into the church[g]. For this reason, the cardinals and other ecclesiastics of greatest eminence in the papal court industriously opposed all his schemes of reformation, and, by throwing objections and difficulties in his way, endeavoured to retard or to defeat the execution of them. Adrian, amazed, on the one hand, at the obstinacy of the lutherans, disgusted, on the other, with the manners and maxims of the Italians, and finding himself unable to correct either the one or the other, often lamented his own situation, and often looked back with pleasure on that period of his life when he was only dean of Louvain, a more humble but happier station, in which little was expected from him, and there was nothing to frustrate his good intentions[h].

Clement's measures against Luther and his dread of a general council.

Clement the seventh, his successor, excelled Adrian as much in the arts of government, as he was inferior to him in purity of life, or uprightness of intention. He was animated not only with the aversion which all popes naturally bear to a council, but having gained his own election by means very uncanonical, he was afraid of an assembly that might subject it to a scrutiny which it could not stand. He determined, therefore, by every possible means, to elude the demands of the Germans, both with respect to the calling of a council, and reforming abuses in the papal court, which the rashness and incapacity of his predecessor had brought upon him. For this purpose, he made choice of car-

[g] F. Paul, Hist. of Counc. p. 28. Pallavic. Hist. p. 58.
[h] Jovii Vit. Adr. p. 118.

dinal Campeggio, an artful man, often intrusted by his predecessors with negotiations of importance, as his nuncio to the diet of the empire assembled again at Nuremberg. 1524.

February. The negotiations of his nuncio in a second diet at Nuremberg.

Campeggio, without taking any notice of what had passed in the last meeting, exhorted the diet, in a long discourse, to execute the edict of Worms with vigour, as the only effectual means of suppressing Luther's doctrines. The diet, in return, desired to know the pope's intentions concerning the council, and the redress of the hundred grievances. The former, the nuncio endeavoured to elude by general and unmeaning declarations of the pope's resolution to pursue such measures as would be for the greatest good of the church. With regard to the latter, as Adrian was dead before the catalogue of grievances reached Rome, and, of consequence, it had not been regularly laid before the present pope, Campeggio took advantage of this circumstance to decline making any definitive answer to them in Clement's name; though, at the same time, he observed that their catalogue of grievances contained many particulars extremely indecent and undutiful, and that the publishing it by their own authority was highly disrespectful to the Roman see. In the end, he renewed his demand, of their proceeding with vigour against Luther and his adherents. But attended with little effect. though an ambassador from the emperor, who was at that time very solicitous to gain the pope, warmly seconded the nuncio, with many professions of his master's zeal for the honour and dignity of the papal see, the 'recess' of the diet was conceived in terms of almost the same import with the former, without enjoining any additional severity against Luther and his party[1].

Before he left Germany, Campeggio, in order to amuse and sooth the people, published certain articles

[1] Seckend. p. 286. Sleid. Hist. p. 66.

1524. for the amendment of some disorders and abuses which prevailed among the inferior clergy; but this partial reformation, which fell so far short of the expectations of the lutherans, and of the demands of the diet, gave no satisfaction, and produced little effect. The nuncio, with a cautious hand, tenderly lopped a few branches; the Germans aimed a deeper blow, and by striking at the root wished to exterminate the evil [k].

[k] Seckend. p. 292.

THE HISTORY

OF

THE REIGN OF THE EMPEROR

CHARLES THE FIFTH.

THE FOURTH BOOK.

THE expulsion of the French, both out of the Milanese and the republic of Genoa, was considered by the Italians as the termination of the war between Charles and Francis; and as they began immediately to be apprehensive of the emperor, when they saw no power remaining in Italy capable either to control or oppose him, they longed ardently for the reestablishment of peace. Having procured the restoration of Sforza to his paternal dominions, which had been their chief motive for entering into confederacy with Charles, they plainly discovered their intention to contribute no longer towards increasing the emperor's superiority over his rival, which was already become the object of their jealousy. The pope especially, whose natural timidity increased his suspicions of Charles's designs, endeavoured by his remonstrances to inspire him with moderation, and incline him to peace. 1524.

Views of the Italian states with respect to Charles and Francis.

But the emperor, intoxicated with success, and urged on by his own ambition, no less than by Bourbon's desire of revenge, contemned Clement's admonitions, and declared his resolution of ordering his army to pass the Alps, and to invade Provence, a part of his rival's dominions, where, as he least dreaded an attack,

Charles resolves to invade France.

1524. he was least prepared to resist it. His most experienced ministers dissuaded him from undertaking such an enterprise with a feeble army, and an exhausted treasury; but he relied so much on having obtained the concurrence of the king of England, and on the hopes which Bourbon, with the confidence and credulity natural to exiles, entertained of being joined by a numerous body of his partisans as soon as the imperial troops should enter France, that he persisted obstinately in the measure. Henry undertook to furnish an hundred thousand ducats towards defraying the expense of the expedition during the first month, and had it in his choice either to continue the payment of that sum monthly, or to invade Picardy before the end of July with an army capable of acting with vigour. The emperor engaged to attack Guienne at the same time with a considerable body of men; and if these enterprises proved successful, they agreed, that Bourbon, besides the territories which he had lost, should be put in possession of Provence, with the title of king, and should do homage to Henry, as the lawful king of France, for his new dominions. Of all the parts of this extensive but extravagant project, the invasion of Provence was the only one which was executed. For although Bourbon, with a scrupulous delicacy, altogether unexpected after the part which he had acted, positively refused to acknowledge Henry's title to the crown of France, and thereby absolved him from any obligation to promote the enterprise, Charles's eagerness to carry his own plan into execution did not, in any degree, abate. The army which he employed for that purpose amounted only to eighteen thousand men; the command of which was given to the marquis de Pescara, with instructions to pay the greatest deference to Bourbon's advice in all his operations. Pescara passed the Alps without opposition, and, entering Provence, laid siege to Marseilles. Bourbon had advised him rather to march towards Lyons, in the neighbour-

The imperialists enter Provence. Aug. 19.

hood of which city his territories were situated, and where of course his influence was most extensive; but the emperor was so desirous to get possession of a port which would, at all times, secure him an easy entrance into France, that by his authority he overruled the constable's opinion, and directed Pescara to make the reduction of Marseilles his chief object [a]. 1524.

Prudent measures of Francis.

Francis, who foresaw, but was unable to prevent, this attempt, took the most proper precautions to defeat it. He laid waste the adjacent country, in order to render it more difficult for the enemy to subsist their army; he razed the suburbs of the city, strengthened its fortifications, and threw into it a numerous garrison, under the command of brave and experienced officers. To these, nine thousand of the citizens, whom their dread of the Spanish yoke inspired with contempt of danger, joined themselves: by their united courage and industry, all the efforts of Pescara's military skill, and of Bourbon's activity and revenge, were rendered abortive. Francis, meanwhile, had leisure to assemble a powerful army under the walls of Avignon, and no sooner began to advance towards Marseilles, than the imperial troops, exhausted by the fatigues of a siege which had lasted forty days, weakened by diseases, and almost destitute of provisions, retired with precipitation towards Italy [b].

Imperialists forced to retreat. Sept. 19.

If, during these operations of the army in Provence, either Charles or Henry had attacked France in the manner which they had projected, that kingdom must have been exposed to the most imminent danger. But on this, as well as on many other occasions, the emperor found that the extent of his revenues was not adequate to the greatness of his schemes, or the ardour of his ambition, and the want of money obliged him, though with much reluctance, to circumscribe his plan,

[a] Guic. lib. xv. p. 273, etc. Mém. de Bellay, p. 80.
[b] Guic. lib. xv. p. 277. Ulloa, Vita di Carlo V. p. 93.

1524. and to leave part of it unexecuted. Henry, disgusted at Bourbon's refusing to recognise his right to the crown of France; alarmed at the motions of the Scots, whom the solicitations of the French king had persuaded to march towards the borders of England; and no longer incited by his minister, who was become extremely cool with regard to all the emperor's interests, took no measures to support an enterprise of which, as of all new undertakings, he had been at first excessively fond [c].

Francis, elated with his success,

If the king of France had been satisfied with having delivered his subjects from this formidable invasion, if he had thought it enough to show all Europe the facility with which the internal strength of his dominions enabled him to resist the invasion of a foreign enemy, even when seconded by the abilities and powerful efforts of a rebellious subject, the campaign, notwithstanding the loss of the Milanese, would have been far from ending ingloriously. But Francis, animated with courage more becoming a soldier than a general; pushed on by ambition, enterprising rather than considerate; and too apt to be elated with success; was fond of every undertaking that seemed bold and adventurous. Such an undertaking the situation of his affairs at that juncture naturally presented to his view.

resolves to invade the Milanese.

He had under his command one of the most powerful and best appointed armies France had ever brought into the field, which he could not think of disbanding without having employed it in any active service. The imperial troops had been obliged to retire, almost ruined by hard duty, and disheartened with ill success; the Milanese had been left altogether without defence; it was not impossible to reach that country before Pescara, with his shattered forces, could arrive there; or, if fear should add speed to their retreat, they were in no condition to make head against his fresh and nu-

[c] Fiddes's Life of Wolsey, Append. No. 70, 71, 72.

merous troops; and Milan would now, as in former instances, submit without resistance to a bold invader. These considerations, which were not destitute of plausibility, appeared to his sanguine temper to be of the utmost weight. In vain did his wisest ministers and generals represent to him the danger of taking the field at a season so far advanced, with an army composed chiefly of Swiss and Germans, to whose caprices he would be subject in all his operations, and on whose fidelity his safety must absolutely depend. In vain did Louise of Savoy advance by hasty journeys towards Provence, that she might exert all her authority in dissuading her son from such a rash enterprise. Francis disregarded the remonstrances of his subjects; and that he might save himself the pain of an interview with his mother, whose counsels he had determined to reject, he began his march before her arrival; appointing her, however, by way of atonement for that neglect, to be regent of the kingdom during his absence. Bonnivet, by his persuasions, contributed not a little to confirm Francis in this resolution. That favourite, who strongly resembled his master in all the defective parts of his character, was led, by his natural impetuosity, warmly to approve of such an enterprise; and being prompted, besides, by his impatience to revisit a Milanese lady, of whom he had been deeply enamoured during his late expedition, he is said, by his flattering descriptions of her beauty and accomplishments, to have inspired Francis, who was extremely susceptible of such passions, with an equal desire of seeing her[d].

1524.

Appoints his mother regent during his absence.

The French passed the Alps at mount Cenis; and as their success depended on despatch, they advanced with the greatest diligence. Pescara, who had been obliged to take a longer and more difficult route by Monaco and Final, was soon informed of their intention; and being sensible that nothing but the presence of

Operations in the Milanese.

[d] Oeuv. de Brant. tom. vi. p. 253.

1524. his troops could save the Milanese, marched with such rapidity, that he reached Alva on the same day that the French army arrived at Vercelli. Francis, instructed by Bonnivet's errour in the former campaign, advanced directly towards Milan, where the unexpected approach of an enemy so powerful occasioned such consternation and disorder, that although Pescara entered the city with some of his best troops, he found that the defence of it could not be undertaken with any probability of success; and, having thrown a garrison into the citadel, retired through one gate, while the French were admitted at another [e].

Embarrassing state of the imperialists.

These brisk motions of the French monarch disconcerted all the schemes of defence which the imperialists had formed. Never, indeed, did generals attempt to oppose a formidable invasion under such circumstances of disadvantage. Though Charles possessed dominions more extensive than any other prince in Europe, and had, at this time, no other army but that which was employed in Lombardy, which did not amount to sixteen thousand men, his prerogative in all his different states was so limited, and his subjects, without whose consent he could raise no taxes, discovered such unwillingness to burthen themselves with new or extraordinary impositions, that even this small body of troops was in want of pay, of ammunition, of provisions, and of clothing. In such a situation, it required all the wisdom of Lannoy, the intrepidity of Pescara, and the implacable resentment of Bourbon to preserve them from sinking under despair, and to inspire them with resolution to attempt, or sagacity to discover, what was essential to their safety. To the efforts of their genius, and the activity of their zeal, the emperor was more indebted for the preservation of his Italian dominions than to his own power. Lannoy, by mortgaging the revenues of Naples, procured some money,

[e] Mém. de Bellay, p. 81. Guic. lib. xv. p. 278.

which was immediately applied towards providing the army with whatever was most necessary[f]. Pescara, who was beloved and almost adored by the Spanish troops, exhorted them to show the world, by their engaging to serve the emperor in that dangerous exigency without making any immediate demand of pay, that they were animated with sentiments of honour very different from those of mercenary soldiers; to which proposition that gallant body of men, with an unexampled generosity, gave their consent[g]. Bourbon having raised a considerable sum, by pawning his jewels, set out for Germany, where his influence was great, that by his presence he might hasten the levying of troops for the imperial service[h]. 1524.

Francis, by a fatal errour, allowed the emperor's generals time to derive advantage from all these operations. Instead of pursuing the enemy, who retired to Lodi on the Adda, an untenable post, which Pescara had resolved to abandon on the approach of the French, he, in compliance with the opinion of Bonnivet, though contrary to that of his other generals, laid siege to Pavia on the Tessino; a town, indeed, of great importance, the possession of which would have opened to him all the fertile country lying on the banks of that river. But the fortifications of the place were strong; it was dangerous to undertake a difficult siege at so late a season; and the imperial generals, sensible of its consequence, had thrown into the town a garrison composed of six thousand veterans, under the command of Antonio de Leyva, an officer of high rank; of great experience; of a patient, but enterprising courage; fertile in resources; ambitious of distinguishing himself; and capable, for that reason, as well as Francis besieges Pavia. Oct. 28.

[f] Guic. lib. xv. 280.

[g] Jovii Vit. Davali, lib. xv. 386. Sandov. i. 621. Ulloa, Vita di Carlo V. p. 94, etc. Vida del' Emperador Carlos V. por Vera y Zuniga, p. 36.

[h] Mém. de Bellay, p. 83.

1524. from his having been long accustomed both to obey and to command, of suffering or performing any thing in order to procure success.

His vigorous efforts.

Francis prosecuted the siege with obstinacy equal to the rashness with which he had undertaken it. During three months, every thing known to the engineers of that age, or that could be effected by the valour of his troops, was attempted, in order to reduce the place; while Lannoy and Pescara, unable to obstruct his operations, were obliged to remain in such an ignominious state of inaction, that a pasquinade was published at Rome, offering a reward to any person who could find the imperial army, lost in the month of October in the mountains between France and Lombardy, and which had not been heard of since that time [i].

The town gallantly defended.

Leyva, well acquainted with the difficulties under which his countrymen laboured, and the impossibility of their facing, in the field, such a powerful army as formed the siege of Pavia, placed his only hopes of safety in his own vigilance and valour. The efforts of both were extraordinary, and in proportion to the importance of the place, with the defence of which he was intrusted. He interrupted the approaches of the French by frequent and furious sallies. Behind the breaches made by their artillery, he erected new works, which appeared to be scarcely inferior in strength to the original fortifications. He repulsed the besiegers in all their assaults; and, by his own example, brought not only the garrison, but the inhabitants, to bear the most severe fatigues, and to encounter the greatest dangers, without murmuring. The rigour of the season conspired with his endeavours in retarding the progress of the French. Francis attempting to become master of the town, by diverting the course of the Tessino, which is its chief defence on one side, a sud-

[i] Sandov. i. 608.

den inundation of the river destroyed, in one day, the labour of many weeks, and swept away all the mounds which his army had raised with infinite toil, as well as at great expense [k]. 1524.

Notwithstanding the slow progress of the besiegers, and the glory which Leyva acquired by his gallant defence, it was not doubted but that the town would at last be obliged to surrender. The pope, who already considered the French arms as superior in Italy, became impatient to disengage himself from his connexions with the emperor, of whose designs he was extremely jealous, and to enter into terms of friendship with Francis. As Clement's timid and cautious temper rendered him incapable of following the bold plan which Leo had formed, of delivering Italy from the yoke of both the rivals, he returned to the more obvious and practicable scheme of employing the power of the one to balance and to restrain that of the other. For this reason, he did not dissemble his satisfaction at seeing the French king recover Milan, as he hoped that the dread of such a neighbour would be some check upon the emperor's ambition, which no power in Italy was now able to control. He laboured hard to bring about a peace that would secure Francis in the possession of his new conquests; and as Charles, who was always inflexible in the prosecution of his schemes, rejected the proposition with disdain, and with bitter exclamations against the pope, by whose persuasions, while cardinal de' Medici, he had been induced to invade the Milanese, Clement immediately concluded a treaty of neutrality with the king of France, in which the republic of Florence was included [l]. The pope concludes a treaty of neutrality.

Francis having, by this transaction, deprived the emperor of his two most powerful allies, and at the same time having secured a passage for his own troops Francis invades Naples.

[k] Guic. lib. xv. 280. Ulloa, Vita di Carlo V. p. 95.

[l] Guic. lib. xv. 282. 285.

1524. through their territories, formed a scheme of attacking the kingdom of Naples, hoping either to overrun that country, which was left altogether without defence, or that at least such an unexpected invasion would oblige the viceroy to recall part of the imperial army out of the Milanese. For this purpose, he ordered six thousand men to march under the command of John Stuart, duke of Albany. But Pescara, foreseeing that the effect of this diversion would depend entirely upon the operations of the armies in the Milanese, persuaded Lannoy to disregard Albany's motions[m], and to bend his whole force against the king himself; so that Francis not only weakened his army very unseasonably by this great detachment, but incurred the reproach of engaging too rashly in chimerical and extravagant projects.

Efforts of Pescara and Bourbon. 1525.

By this time the garrison of Pavia was reduced to extremity; their ammunition and provisions began to fail; the Germans, of whom it was chiefly composed, having received no pay for seven months[n], threatened to deliver the town into the enemy's hands, and could hardly be restrained from mutiny by all Leyva's address and authority. The imperial generals, who were no strangers to his situation, saw the necessity of marching without loss of time to his relief. This they had now in their power: twelve thousand Germans, whom the zeal and activity of Bourbon taught to move with unusual rapidity, had entered Lombardy under his command, and rendered the imperial army nearly equal to that of the French, greatly diminished by the absence of the body under Albany, as well as by the fatigues of the siege, and the rigour of the season. But the more their troops increased in number, the more sensibly did the imperialists feel the distress arising from want of money. Far from having funds for paying a powerful army, they had scarcely what was sufficient for defraying the charges of conducting

[m] Guic. lib. xv. 285.

[n] Gold. Polit. Imperial. 875.

their artillery, and of carrying their ammunition and provisions. The abilities of the generals, however, supplied every defect. By their own example, as well as by magnificent promises in name of the emperor, they prevailed on the troops of all the different nations which composed their army, to take the field without pay; they engaged to lead them directly towards the enemy; and flattered them with the certain prospect of victory, which would at once enrich them with such royal spoils as would be an ample reward for all their services. The soldiers, sensible that, by quitting the army, they would forfeit the great arrears due to them, and eager to get possession of the promised treasures, demanded a battle with all the impatience of adventurers who fight only for plunder[o]. 1525.

The imperial generals, without suffering the ardour of their troops to cool, advanced immediately towards the French camp. On the first intelligence of their approach, Francis called a council of war, to deliberate what course he ought to take. All his officers of greatest experience were unanimous in advising him to retire, and to decline a battle with an enemy who courted it from despair. The imperialists, they observed, would either be obliged in a few weeks to disband an army, which they were unable to pay, and which they kept together only by the hope of plunder; or the soldiers, enraged at the non-performance of the promises to which they had trusted, would rise in some furious mutiny, which would allow their generals to think of nothing but their own safety: that, meanwhile, he might encamp in some strong post; and waiting in safety the arrival of fresh troops from France and Switzerland, might, before the end of spring, take possession of all the Milanese, without danger or bloodshed. But in opposition to them, They march to attack the French. Feb. 3.

[o] Eryci Peuteani Hist. Cisalpina, ap. Grævii Thes. Antiquit. Ital. iii. 1170. 1179.

1525. Bonnivet, whose destiny it was to give counsels fatal to France during the whole campaign, represented the ignominy that it would reflect on their sovereign, if he should abandon a siege which he had prosecuted so long, or turn his back before an enemy to whom he was still superior in number; and insisted on the necessity of fighting the imperialists, rather than relinquish an undertaking, on the success of which the king's future fame depended. Unfortunately, Francis's notions of honour were delicate to an excess that bordered on what was romantic. Having often said that he would take Pavia, or perish in the attempt, he thought himself bound not to depart from that resolution; and rather than expose himself to the slightest imputation, he chose to forego all the advantages which were the certain consequences of a retreat, and determined to wait for the imperialists before the walls of Pavia [p].

Battle of Pavia.

The imperial generals found the French so strongly intrenched, that, notwithstanding the powerful motives which urged them on, they hesitated long before they ventured to attack them; but at last the necessities of the besieged, and the murmurs of their own soldiers, obliged them to put every thing to hazard. Never did armies engage with greater ardour, or with an higher opinion of the importance of the battle which they were going to fight; never were troops more strongly animated with emulation, national antipathy, mutual resentment, and all the passions which inspire obstinate bravery. On the one hand, a gallant young monarch, seconded by a generous nobility, and followed by subjects to whose natural impetuosity, indignation at the opposition which they had encountered, added new force, contended for victory and honour. On the other side, troops more completely disciplined, and conducted by generals of greater abilities, fought

Feb. 24.

[p] Guic. lib. xv. 291.

from necessity, with courage heightened by despair. 1525.
The imperialists, however, were unable to resist the first efforts of the French valour, and their firmest battalions began to give way. But the fortune of the day was quickly changed. The Swiss in the service of France, unmindful of the reputation of their country for fidelity and martial glory, abandoned their post in a cowardly manner. Leyva, with his garrison, sallied out and attacked the rear of the French, during the heat of the action, with such fury as threw it into confusion; and Pescara falling on their cavalry with the imperial horse, among whom he had prudently intermingled a considerable number of Spanish foot, armed with the heavy muskets then in use, broke this formidable body by an unusual method of attack, against which they were wholly unprovided. The rout became universal; and resistance ceased in almost every part, but where the king was in person, who fought now, not for fame or victory, but for safety. Though wounded in several places, and thrown from his horse, which was killed under him, Francis defended himself on foot with an heroic courage. Many of his bravest officers gathering round him, and endeavouring to save his life at the expense of their own, fell at his feet. Among these was Bonnivet, the author of this great calamity, who alone died unlamented. The king, exhausted with fatigue, and scarcely capable of farther resistance, was left almost alone, exposed to the fury of some Spanish soldiers, strangers to his rank, and enraged at his obstinacy. At that moment came up Pomperant, a French gentleman, who had entered together with Bourbon into the emperor's service, and, placing himself by the side of the monarch against whom he had rebelled, assisted in protecting him from the violence of the soldiers; at the same time beseeching him to surrender to Bourbon, who was not far distant. Imminent as the danger was which now surrounded Francis, he

The French army routed.

1525. rejected with indignation the thoughts of an action which would have afforded such matter of triumph to his traitorous subject; and calling for Lannoy, who happened likewise to be near at hand, gave up his sword to him; which he, kneeling to kiss the king's hand, received with profound respect; and taking his own sword from his side, presented it to him, saying, that it did not become so great a monarch to remain disarmed in the presence of one of the emperor's subjects[q].

Francis is taken prisoner.

Ten thousand men fell on this day, one of the most fatal France had ever seen. Among these were many noblemen of the highest distinction, who chose rather to perish than to turn their backs with dishonour. Not a few were taken prisoners, of whom the most illustrious was Henry d'Albret, the unfortunate king of Navarre. A small body of the rearguard made its escape, under the command of the duke of Alençon; the feeble garrison of Milan, on the first news of the defeat, retired, without being pursued, by another road; and in two weeks after the battle, not a Frenchman remained in Italy.

Lannoy, though he treated Francis with all the outward marks of honour due to his rank and character, guarded him with the utmost attention. He was solicitous, not only to prevent any possibility of his escaping, but afraid that his own troops might seize his person, and detain it as the best security for the payment of their arrears. In order to provide against both these dangers, he conducted Francis, the day after the battle, to the strong castle of Pizzichitone, near Cremona, committing him to the custody of don Ferdinand Alarcon, general of the Spanish infantry, an officer of great bravery and of strict honour, but

[q] Guic. lib. xv. 292. Oeuv. de Brant. vi. 355. Mém. de Bellay, p. 90. Sandov. Hist. i. 638, etc. P. Mart. Ep. 805. 810. Ruscelli, Lettere de' Principi, ii. p. 70. Ulloa, Vita di Carlo V. p. 98.

remarkable for that severe and scrupulous vigilance which such a trust required. 1525.

Francis, who formed a judgment of the emperor's dispositions by his own, was extremely desirous that Charles should be informed of his situation, fondly hoping that, from his generosity or sympathy, he should obtain speedy relief. The imperial generals were no less impatient to give their sovereign an early account of the decisive victory which they had gained, and to receive his instructions with regard to their future conduct. As the most certain and expeditious method of conveying intelligence to Spain, at that season of the year, was by land, Francis gave the commendador Pennalosa, who was charged with Lannoy's despatches, a passport to travel through France.

Effects of this victory upon Charles. March 10.

Charles received the account of this signal and unexpected success that had crowned his arms, with a moderation, which, if it had been real, would have done him more honour than the greatest victory. Without uttering one word expressive of exultation, or of intemperate joy, he retired immediately into his chapel, and, having spent an hour in offering up his thanksgivings to heaven, returned to the presence-chamber, which by that time was filled with grandees and foreign ambassadors, assembled in order to congratulate him. He accepted of their compliments with a modest deportment; he lamented the misfortune of the captive king, as a striking example of the sad reverse of fortune, to which the most powerful monarchs are subject; he forbade any public rejoicings, as indecent in a war carried on among christians, reserving them until he should obtain a victory equally illustrious over the infidels; and seemed to take pleasure in the advantage which he had gained, only as it would prove the occasion of restoring peace to christendom[r].

Charles, however, had already begun to form schemes

[r] Sandov. Hist. i. 641. Ulloa, Vita di Carlo V. p. 110.

1525. in his own mind, which little suited such external appearances. Ambition, not generosity, was the ruling passion in his mind; and the victory at Pavia opened such new and unbounded prospects of gratifying it, as allured him with irresistible force; but it being no easy matter to execute the vast designs which he meditated, he thought it necessary, while proper measures were taking for that purpose, to affect the greatest moderation, hoping under that veil to conceal his real intentions from the other princes of Europe.

The schemes he began to form.

Meanwhile, France was filled with consternation. The king himself had early transmitted an account of the rout at Pavia, in a letter to his mother, delivered by Pennalosa, which contained only these words, "Madam, all is lost, except our honour." The officers who made their escape, when they arrived from Italy, brought such a melancholy detail of particulars as made all ranks of men sensibly feel the greatness and extent of the calamity. France, without its sovereign, without money in her treasury, without an army, without generals to command it, and encompassed on all sides by a victorious and active enemy, seemed to be on the very brink of destruction. But on that occasion the great abilities of Louise the regent saved the kingdom, which the violence of her passions had more than once exposed to the greatest danger. Instead of giving herself up to such lamentations as were natural to a woman so remarkable for her maternal tenderness, she discovered all the foresight, and exerted all the activity, of a consummate politician. She assembled the nobles at Lyons, and animated them, by her example no less than by her words, with such zeal in defence of their country, as its present situation required. She collected the remains of the army which had served in Italy, ransomed the prisoners, paid the arrears, and put them in a condition to take the field. She levied new troops, provided for the security of the frontiers, and raised sums sufficient for defraying these

The general consternation in France.

The prudent conduct of the regent.

extraordinary expenses. Her chief care, however, was to appease the resentment, or to gain the friendship, of the king of England; and from that quarter the first ray of comfort broke in upon the French. 1525.

Though Henry, in entering into alliances with Charles or Francis, seldom followed any regular or concerted plan of policy, but was influenced chiefly by the caprice of temporary passions, such occurrences often happened as recalled his attention towards that equal balance of power which it was necessary to keep between the two contending potentates, the preservation of which he always boasted to be his peculiar office. He had expected that his union with the emperor might afford him an opportunity of recovering some part of those territories in France which had belonged to his ancestors, and for the sake of such an acquisition he did not scruple to give his assistance towards raising Charles to a considerable preeminence above Francis. He had never dreamt, however, of any event so decisive and so fatal as the victory at Pavia, which seemed not only to have broken, but to have annihilated the power of one of the rivals; so that the prospect of the sudden and entire revolution which this would occasion in the political system, filled him with the most disquieting apprehensions. He saw all Europe in danger of being overrun by an ambitious prince, to whose power there now remained no counterpoise; and though he himself might at first be admitted, in quality of an ally, to some share in the spoils of the captive monarch, it was easy to discern, that, with regard to the manner of making the partition, as well as his security for keeping possession of what should be allotted him, he must absolutely depend upon the will of a confederate, to whose forces his own bore no proportion. He was sensible, that if Charles were permitted to add any considerable part of France to the vast dominions of which he was already master, his neighbourhood would be much more formidable to

Effects of the victory at Pavia on Henry the eighth;

1525. England than that of the ancient French kings; while, at the same time, the proper balance on the continent, to which England owed both its safety and importance, would be entirely lost. Concern for the situation of the unhappy monarch cooperated with these political considerations; his gallant behaviour in the battle of Pavia had excited an high degree of admiration, which never fails of augmenting sympathy; and Henry, naturally susceptible of generous sentiments, was fond of appearing as the deliverer of a vanquished enemy from a state of captivity. The passions of the English minister seconded the inclinations of the monarch. Wolsey, who had not forgotten the disappointment of his hopes in two successive conclaves, which he imputed chiefly to the emperor, thought this a proper opportunity of taking revenge; and Louise, courting the friendship of England with such flattering submissions as were no less agreeable to the king than to the cardinal, Henry gave her secret assurances that he would not lend his aid towards oppressing France in its present helpless state, and obliged her to promise that she would not consent to dismember the kingdom even in order to procure her son's liberty[s].

But as Henry's connexions with the emperor made it necessary to act in such a manner as to save appearances, he ordered public rejoicings to be made in his dominions for the success of the imperial arms; and as if he had been eager to seize the present opportunity of ruining the French monarchy, he sent ambassadors to Madrid, to congratulate with Charles upon his victory; to put him in mind, that he, as his ally, engaged in one common cause, was entitled to partake in the fruits of it; and to require that, in compliance with the terms of their confederacy, he would invade Guienne with a powerful army, in order to give him possession of that province. At the same time, he offered to send

[s] Mém. de Bellay, 94. Guic. lib. xvi. 318. Herbert.

the princess Mary into Spain or the Low Countries, that she might be educated under the emperor's direction, until the conclusion of the marriage agreed on between them; and in return for that mark of his confidence, he insisted that Francis should be delivered to him, in consequence of that article in the treaty of Bruges, whereby each of the contracting parties was bound to surrender all usurpers to him whose rights they had invaded. It was impossible that Henry could expect that the emperor would listen to these extravagant demands, which it was neither his interest, nor in his power to grant. They appear evidently to have been made with no other intention than to furnish him with a decent pretext for entering into such engagements with France as the juncture required[t]. 1525.

It was among the Italian states, however, that the victory at Pavia occasioned the greatest alarm and terrour. That balance of power on which they relied for their security, and which it had been the constant object of all their negotiations and refinements to maintain, was destroyed in a moment. They were exposed by their situation to feel the first effects of that uncontrolled authority which Charles had acquired. They observed many symptoms of a boundless ambition in that young prince, and were sensible that, as emperor, or king of Naples, he might not only form dangerous pretensions upon each of their territories, but might invade them with great advantage. They deliberated, therefore, with much solicitude, concerning the means of raising such a force as might obstruct his progress[u]. But their consultations, conducted with little union, and executed with less vigour, had no effect. Clement, instead of pursuing the measures which he had concerted with the Venetians for securing the liberty of Italy, was so intimidated by Lannoy's threats, or over- on the Italian powers.

[t] Herbert, p. 64.

[u] Guic. lib. xvi. 300. Ruscelli, Lettere de' Princ. ii. 74. 76, etc. Thuani Hist. lib. i. c. 11.

1525. April 1. come by his promises, that he entered into a separate treaty, binding himself to advance a considerable sum to the emperor, in return for certain emoluments which he was to receive from him. The money was instantly paid; but Charles afterwards refused to ratify the treaty; and the pope remained exposed at once to infamy and to ridicule: to the former, because he had deserted the public cause for his private interest; to the latter, because he had been a loser by that unworthy action[x].

Mutiny in the imperial army.

How dishonourable soever the artifice might be which was employed in order to defraud the pope of this sum, it came very seasonably into the viceroy's hands, and put it in his power to extricate himself out of an imminent danger. Soon after the defeat of the French army, the German troops, which had defended Pavia with such meritorious courage and perseverance, growing insolent upon the fame that they had acquired, and impatient of relying any longer on fruitless promises, with which they had been so often amused, rendered themselves masters of the town, with a resolution to keep possession of it as a security for the payment of their arrears; and the rest of the army discovered a much stronger inclination to assist, than to punish the mutineers. By dividing among them the money exacted from the pope, Lannoy quieted the tumultuous Germans; but though this satisfied their present demands, he had so little prospect of being able to pay them or his other forces regularly for the future, and was under such continual apprehensions of their seizing the person of the captive king, that, not long after, he was obliged to dismiss all the Germans and Italians in the imperial service[y]. Thus, from a circumstance that now appears very singular, but arising naturally from the constitution of

[x] Guic. lib. xvi. 305. Mauroceni Histor. Venet. ap. Istorici delle Cose Venez. v. 131. 136.

[y] Guic. lib. xvi. p. 302.

most European governments in the sixteenth century, while Charles was suspected, by all his neighbours, of aiming at universal monarchy; and while he was really forming vast projects of this kind, his revenues were so limited, that he could not keep on foot his victorious army, though it did not exceed twenty-four thousand men. 1525.

The emperor's deliberations concerning the manner of improving his victory.

During these transactions, Charles, whose pretensions to moderation and disinterestedness were soon forgotten, deliberated, with the utmost solicitude, how he might derive the greatest advantages from the misfortunes of his adversary. Some of his counsellors advised him to treat Francis with the magnanimity that became a victorious prince, and, instead of taking advantage of his situation to impose rigorous conditions, to dismiss him on such equal terms, as would bind him for ever to his interest by the ties of gratitude and affection, more forcible as well as more permanent than any which could be formed by extorted oaths and involuntary stipulations. Such an exertion of generosity is not, perhaps, to be expected in the conduct of political affairs, and it was far too refined for that prince to whom it was proposed. The more obvious, but less splendid scheme, of endeavouring to make the utmost of Francis's calamity, had a greater number in the council to recommend it, and suited better with the emperor's genius. But though Charles adopted this plan, he seems not to have executed it in the most proper manner. Instead of making one great effort to penetrate into France, with all the forces of Spain and the Low Countries; instead of crushing the Italian states before they recovered from the consternation which the success of his arms had occasioned, he had recourse to the artifices of intrigue and negotiation. This proceeded partly from necessity, partly from the natural disposition of his mind. The situation of his finances, at that time, rendered it extremely difficult to carry on any extraordinary armament; and he himself having

1525. never appeared at the head of his armies, the command of which he had hitherto committed to his generals, was averse to bold and martial counsels, and trusted more to the arts with which he was acquainted. He laid, besides, too much stress upon the victory of Pavia, as if by that event the strength of France had been annihilated, its resources exhausted, and the kingdom itself, no less than the person of its monarch, had been subjected to his power.

The rigorous terms he proposes to Francis.

Full of this opinion, he determined to set the highest price upon Francis's freedom; and having ordered the count de Rœux to visit the captive king in his name, he instructed him to propose the following articles, as the conditions on which he would grant him his liberty: That he should restore Burgundy to the emperor, from whose ancestors it had been unjustly wrested; that he should surrender Provence and Dauphiné, that they might be erected into an independent kingdom for the constable Bourbon; that he should make full satisfaction to the king of England for all his claims, and finally renounce the pretensions of France to Naples, Milan, or any other territory in Italy. When Francis, who had hitherto flattered himself that he should be treated by the emperor with the generosity becoming one great prince towards another, heard these rigorous conditions, he was so transported with indignation, that, drawing his dagger hastily, he cried out, "'Twere better that a king should die thus." Alarcon, alarmed at his vehemence, laid hold on his hand; but though he soon recovered greater composure, he still declared in the most solemn manner, that he would rather remain a prisoner during life, than purchase liberty by such ignominious concessions[z].

Francis carried prisoner to Spain.

This mortifying discovery of the emperor's intentions, greatly augmented Francis's chagrin and impatience under his confinement, and must have driven

[z] Mém. de Bellay, 94. Ferreras, Hist. ix. 43.

him to absolute despair, if he had not laid hold of the only thing which could still administer any comfort to him. He persuaded himself, that the conditions which Rœux had proposed did not flow originally from Charles himself, but were dictated by the rigorous policy of his Spanish council; and that, therefore, he might hope, in one personal interview with him, to do more towards hastening his own deliverance, than could be effected by long negotiations passing through the subordinate hands of his ministers. Relying on this supposition, which proceeded from too favourable an opinion of the emperor's character, he offered to visit him in Spain, and was willing to be carried thither as a spectacle to that haughty nation. Lannoy employed all his address to confirm him in these sentiments; and concerted with him in secret the manner of executing this resolution. Francis was so eager on a scheme which seemed to open some prospect of liberty, that he furnished the galleys necessary for conveying him to Spain, Charles being at this time unable to fit out a squadron for that purpose. The viceroy, without communicating his intentions either to Bourbon or Pescara, conducted his prisoner towards Genoa, under pretence of transporting him by sea to Naples; though, soon after they set sail, he ordered the pilots to steer directly for Spain; but the wind happening to carry them near the French coast, the unfortunate monarch had a full prospect of his own dominions, towards which he cast many a sorrowful and desiring look. They landed, however, in a few days, at Barcelona, and soon after, Francis was lodged, by the emperor's command, in the alcazar of Madrid, under the care of the vigilant Alarcon, who guarded him with as much circumspection as ever[a]. 1525. August 24.

A few days after Francis's arrival at Madrid, and when he began to be sensible of his having relied Henry the eighth concludes a

[a] Mém. de Bellay, p. 95. P. Mart. Ep. ult. Guic. lib. xiv. 323.

1525. without foundation on the emperor's generosity, Henry the eighth concluded a treaty with the regent of France, which afforded him some hope of liberty from another quarter. Henry's extravagant demands had been received at Madrid with that neglect which they deserved, and which he probably expected. Charles, intoxicated with prosperity, no longer courted him in that respectful and submissive manner which pleased his haughty temper. Wolsey, no less haughty than his master, was highly irritated at the emperor's discontinuing his wonted caresses and professions of friendship to himself. These slight offences, added to the weighty considerations formerly mentioned, induced Henry to enter into a defensive alliance with Louise, in which all the differences between him and her son were adjusted; at the same time he engaged that he would employ his best offices in order to procure the deliverance of his new ally from a state of captivity [b].

treaty with France, in order to procure his release.

While the open defection of such a powerful confederate affected Charles with deep concern, a secret conspiracy was carrying on in Italy, which threatened him with consequences still more fatal. The restless and intriguing genius of Morone, chancellor of Milan, gave rise to this. His revenge had been amply gratified by the expulsion of the French out of Italy, and his vanity no less soothed by the reestablishment of Sforza, to whose interest he had attached himself in the dutchy of Milan. The delays, however, and evasions of the imperial court, in granting Sforza the investiture of his new-acquired territories, had long alarmed Morone; these were repeated so often, and with such apparent artifice, as became a full proof to his suspicious mind, that the emperor intended to strip his master of that rich country which he had conquered in his name. Though Charles, in order to

Morone's intrigues in order to overturn the emperor's power in Italy.

[b] Herbert. Fiddes's Life of Wolsey, 337.

quiet the pope and Venetians, no less jealous of his designs than Morone, gave Sforza, at last, the investiture which had been so long desired; the charter was clogged with so many reservations, and subjected him to such grievous burthens, as rendered the duke of Milan a dependant on the emperor, rather than a vassal of the empire, and afforded him hardly any other security for his possessions than the good pleasure of an ambitious superior. Such an accession of power as would have accrued from the addition of the Milanese to the kingdom of Naples, was considered by Morone as fatal to the liberties of Italy, no less than to his own importance. Full of this idea, he began to revolve in his mind the possibility of rescuing Italy from the yoke of foreigners; the darling scheme, as has been already observed, of the Italian politicians in that age, and which it was the great object of their ambition to accomplish. If to the glory of having been the chief instrument of driving the French out of Milan, he could add that of delivering Naples from the dominion of the Spaniards, he thought that nothing would be wanting to complete his fame. His fertile genius soon suggested to him a project for that purpose; a difficult, indeed, and daring one, but for that very reason more agreeable to his bold and enterprising temper. 1525.

Bourbon and Pescara were equally enraged at Lannoy's carrying the French king into Spain without their knowledge. The former, being afraid that the two monarchs might, in his absence, conclude some treaty in which his interests would be entirely sacrificed, hastened to Madrid, in order to guard against that danger. The latter, on whom the command of the army now devolved, was obliged to remain in Italy; but, in every company, he gave vent to his indignation against the viceroy, in expressions full of rancour and contempt; he accused him, in a letter to the emperor, of cowardice in the time of danger, and of insolence His negotiations with Pescara.

1525. after a victory, towards the obtaining of which he had contributed nothing either by his valour or his conduct; nor did he abstain from bitter complaints against the emperor himself, who had not discovered, as he imagined, a sufficient sense of his merit, nor bestowed any adequate reward on his services. It was on this disgust of Pescara that Morone founded his whole system. He knew the boundless ambition of his nature, the great extent of his abilities in peace as well as war, and the intrepidity of his mind, capable alike of undertaking and of executing the most desperate designs. The cantonment of the Spanish troops on the frontier of the Milanese, gave occasion to many interviews between him and Morone, in which the latter took care frequently to turn the conversation to the transactions subsequent to the battle of Pavia, a subject upon which the marquis always entered willingly and with passion; and Morone observing his resentment to be uniformly violent, artfully pointed out and aggravated every circumstance that could increase its fury. He painted, in the strongest colours, the emperor's want of discernment, as well as of gratitude, in preferring Lannoy to him, and in allowing that presumptuous Fleming to dispose of the captive king, without consulting the man to whose bravery and wisdom Charles was indebted for the glory of having a formidable rival in his power. Having warmed him by such discourses, he then began to insinuate that now was the time to be avenged for these insults, and to acquire immortal renown as the deliverer of his country from the oppression of strangers; that the states of Italy, weary of the ignominious and intolerable dominion of barbarians, were at last ready to combine in order to vindicate their own independence; that their eyes were fixed on him as the only leader whose genius and good fortune could insure the happy success of that noble enterprise; that the attempt was no less practicable than glorious, it being in his power so to

disperse the Spanish infantry, the only body of the emperor's troops that remained in Italy, through the villages of the Milanese, that in one night they might be destroyed by the people, who, having suffered much from their exactions and insolence, would gladly undertake this service; that he might then, without opposition, take possession of the throne of Naples, the station destined for him, and a reward not unworthy the restorer of liberty to Italy; that the pope, of whom that kingdom held, and whose predecessors had disposed of it on many former occasions, would willingly grant him the right of investiture; that the Venetians, the Florentines, the duke of Milan, to whom he had communicated the scheme, together with the French, would be the guarantees of his right; that the Neapolitans would naturally prefer the government of one of their countrymen, whom they loved and admired, to that odious dominion of strangers, to which they had been so long subjected; and that the emperor, astonished at a blow so unexpected, would find that he had neither troops nor money to resist such a powerful confederacy[c]. 1525.

Betrayed and taken prisoner by Pescara.

Pescara, amazed at the boldness and extent of the scheme, listened attentively to Morone, but with the countenance of a man lost in profound and anxious thought. On the one hand, the infamy of betraying his sovereign, under whom he bore such high command, deterred him from the attempt; on the other, the prospect of obtaining a crown allured him to venture upon it. After continuing a short space in suspense, the least commendable motives, as is usual after such deliberations, prevailed, and ambition triumphed over honour. In order, however, to throw a colour of decency on his conduct, he insisted that some learned casuists should give their opinion, "Whether it was

[c] Guic. lib. xvi. 325. Jovii Vita Davali, p. 417. Oeuv. de Brantôme, iv. 171. Ruscelli, Lettere de' Princ. ii. 91. Thuani Hist. lib. i. c. 11. P. Heuter. Rer. Austr. lib. ix. c. 3. p. 207.

1525. lawful for a subject to take arms against his immediate sovereign, in obedience to the lord paramount of whom the kingdom itself was held?" Such a resolution of the case as he expected was soon obtained from the divines and civilians both of Rome and Milan; the negotiation went forward; and measures seemed to be taking with great spirit for the speedy execution of the design.

During this interval, Pescara, either shocked at the treachery of the action that he was going to commit, or despairing of its success, began to entertain thoughts of abandoning the engagements which he had come under. The indisposition of Sforza, who happened at that time to be taken ill of a distemper, which was thought mortal, confirmed his resolution, and determined him to make known the whole conspiracy to the emperor, deeming it more prudent to expect the dutchy of Milan from him as the reward of this discovery, than to aim at a kingdom to be purchased by a series of crimes. This resolution, however, proved the source of actions hardly less criminal and ignominious. The emperor, who had already received full information concerning the conspiracy from other hands, seemed to be highly pleased with Pescara's fidelity, and commanded him to continue his intrigues for some time with the pope and Sforza, both that he might discover their intentions more fully, and that he might be able to convict them of the crime with greater certainty. Pescara, conscious of guilt, as well as sensible how suspicious his long silence must have appeared at Madrid, durst not decline that dishonourable office; and was obliged to act the meanest and most disgraceful of all parts, that of seducing with a purpose to betray. Considering the abilities of the persons with whom he had to deal, the part was scarcely less difficult than base; but he acted it with such address, as to deceive even the penetrating eye of Morone, who, relying with full confidence on his

sincerity, visited him at Novara, in order to put the last hand to their machinations. Pescara received him in an apartment where Antonio de Leyva was placed behind the tapestry, that he might overhear and bear witness to their conversation; as Morone was about to take leave, that officer suddenly appeared, and to his astonishment arrested him prisoner in the emperor's name. He was conducted to the castle of Pavia; and Pescara, who had so lately been his accomplice, had now the assurance to interrogate him as his judge. At the same time, the emperor declared Sforza to have forfeited all right to the dutchy of Milan, by his engaging in a conspiracy against the sovereign of whom he held; Pescara, by his command, seized on every place in the Milanese, except the castles of Cremona and Milan, which the unfortunate duke attempting to defend, were closely blockaded by the imperial troops[d]. 1525.

The rigorous treatment of Francis in Spain

But though this unsuccessful conspiracy, instead of stripping the emperor of what he already possessed in Italy, contributed to extend his dominions in that country, it showed him the necessity of coming to some agreement with the French king, unless he chose to draw on himself a confederacy of all Europe, which the progress of his arms and his ambition, now as undisguised as it was boundless, filled with general alarm. He had not, hitherto, treated Francis with the generosity which that monarch expected, and hardly with the decency due to his station. Instead of displaying the sentiments becoming a great prince, Charles, by his mode of treating Francis, seems to have acted with the mercenary art of a corsair, who, by the rigorous usage of his prisoners, endeavours to draw from them an higher price for their ransom. The captive king was confined in an old castle, under a keeper whose formal austerity of manners rendered his vigilance still more disgusting. He was allowed no exer-

[d] Guic. lib. xvi. 329. Jovii Hist. 319. Capella, lib. v. 200.

1525. cise but that of riding on a mule, surrounded with armed guards on horseback. Charles, on pretence of its being necessary to attend the cortes assembled in Toledo, had gone to reside in that city, and suffered several weeks to elapse without visiting Francis, though he solicited an interview with the most pressing and submissive importunity. So many indignities made a deep impression on an high-spirited prince; he began to lose all relish for his usual amusements; his natural gaiety of temper forsook him; and after languishing for some time he was seized with a dangerous fever, during the violence of which he complained constantly of the unexpected and unprincely rigour with which he had been treated, often exclaiming, that now the emperor would have the satisfaction of his dying a prisoner in his hands, without having once deigned to see his face. The physicians, at last, despaired of his life, and informed the emperor that they saw no hope of his recovery, unless he were gratified with regard to that point, on which he seemed to be so strongly bent. Charles, solicitous to preserve a life with which all his prospects of farther advantage from the victory of Pavia must have terminated, immediately consulted his ministers concerning the course to be taken. In vain did the chancellor Gattinara, the most able among them, represent to him the indecency of his visiting Francis, if he did not intend to set him at liberty immediately upon equal terms; in vain did he point out the infamy to which he would be exposed, if avarice or ambition should prevail on him to give the captive monarch this mark of attention and sympathy, for which humanity and generosity had pleaded so long without effect. The emperor, less delicate, or less solicitous about reputation, than his minister, set out for Madrid to visit his prisoner. The interview was short: Francis being too weak to bear a long conversation, Charles accosted him in terms full of affection and respect, and gave him such promises of speedy deliver-

endangers his life.

Sept. 28. The emperor visits him.

ance and princely treatment, as would have reflected the greatest honour upon him if they had flowed from another source. Francis grasped at them with the eagerness natural in his situation; and, cheered with this gleam of hope, began to revive from that moment, recovering rapidly his wonted health[e]. 1525.

He had soon the mortification to find, that his confidence in the emperor was not better founded than formerly. Charles returned instantly to Toledo; all negotiations were carried on by his ministers; and Francis was kept in as strict custody as ever. A new indignity, and that very galling, was added to all those he had already suffered. Bourbon arriving in Spain about this time, Charles, who had so long refused to visit the king of France, received his rebellious subject with the most studied respect. He met him without the gates of Toledo, embraced him with the greatest affection, and, placing him on his left hand, conducted him to his apartment. These marks of honour to him were so many insults to the unfortunate monarch, which he felt in a very sensible manner. It afforded him some consolation, however, to observe, that the sentiments of the Spaniards differed widely from those of their sovereign. That generous people detested Bourbon's crime. Notwithstanding his great talents and important services, they shunned all intercourse with him, to such a degree, that Charles having desired the marquis de Villena to permit Bourbon to reside in his palace while the court remained in Toledo, he politely replied, "That he could not refuse gratifying his sovereign in that request;" but added, with a Castilian dignity of mind, that the emperor must not be surprised, if, the moment the constable departed, he should burn to the ground a house which, having been polluted by the presence of a traitor, became an unfit habitation for a man of honour[f]. The constable Bourbon arrives at Madrid. Nov. 15.

[e] Guic. lib. xvi. 339. Sandov. Hist. i. 665. [f] Guic. lib. xvi. 335.

1525. Charles himself, nevertheless, seemed to have it much at heart to reward Bourbon's services in a signal manner. But as he insisted, in the first place, on the accomplishment of the emperor's promise of giving him in marriage his sister Eleanora, queen dowager of Portugal, the honour of which alliance had been one of his chief inducements to rebel against his lawful sovereign; as Francis, in order to prevent such a dangerous union, had offered, before he left Italy, to marry that princess; and as Eleanora herself discovered an inclination rather to match with a powerful monarch, than with his exiled subject; all these interfering circumstances created great embarrassment to Charles, and left him hardly any hope of extricating himself with decency. But the death of Pescara, who, at the age of thirty-six, left behind him the reputation of being one of the greatest generals and ablest politicians of that century, happened opportunely at this juncture for his relief. By that event, the command of the army in Italy became vacant; and Charles, always fertile in resources, persuaded Bourbon, who was in no condition to dispute his will, to accept the office of general in chief there, together with a grant of the dutchy of Milan forfeited by Sforza: and, in return for these, to relinquish all hopes of marrying the queen of Portugal[g].

Appointed general of the imperial army in Italy.

December.

Negotiations for procuring Francis's liberty.

The chief obstacle that stood in the way of Francis's liberty, was the emperor's continuing to insist so peremptorily on the restitution of Burgundy, as a preliminary to that event. Francis often declared that he would never consent to dismember his kingdom; and that, even if he should so far forget the duties of a monarch as to come to such a resolution, the fundamental laws of the nation would prevent its taking effect. On his part, he was willing to make an absolute cession to the emperor of all his pretensions in

[g] Sandov. Hist. i. 676. Oeuv. de Brant. iv. 249.

Italy and the Low Countries; he promised to restore to Bourbon all his lands which had been confiscated; he renewed his proposal of marrying the emperor's sister, the queen dowager of Portugal; and engaged to pay a great sum by way of ransom for his own person. But all mutual esteem and confidence between the two monarchs were now entirely lost; there appeared, on the one hand, a rapacious ambition, labouring to avail itself of every favourable circumstance; on the other, suspicion and resentment, standing perpetually on their guard; so that the prospect of bringing their negotiations to an issue seemed to be far distant. The dutchess of Alençon, the French king's sister, whom Charles permitted to visit her brother in his confinement, employed all her address, in order to procure his liberty on more reasonable terms. Henry of England interposed his good offices to the same purpose; but both with so little success, that Francis, in despair, took suddenly the resolution of resigning his crown, with all its rights and prerogatives, to his son, the dauphin, determining rather to end his days in prison, than to purchase his freedom by concessions unworthy of a king. The deed for this purpose he signed with legal formality in Madrid, empowering his sister to carry it into France, that it might be registered in all the parliaments of the kingdom; and at the same time intimating his intention to the emperor, he desired him to name the place of his confinement, and to assign him a proper number of attendants during the remainder of his days [h].

1525.

Francis, in despair, resolves to resign his crown.

This resolution of the French king had great effect; Charles began to be sensible, that by pushing rigour to excess he might defeat his own measures; and instead of the vast advantages which he hoped to draw from ransoming a powerful monarch, he might at last

Charles alarmed.

[h] This paper is published in Mémoires Historiques, etc. par M. l'Abbé Raynal, tom. ii. 151.

1525. find in his hands a prince without dominions or revenues. About the same time, one of the king of Navarre's domestics happened, by an extraordinary exertion of fidelity, courage, and address, to procure his master an opportunity of escaping from the prison in which he had been confined ever since the battle of Pavia. This convinced the emperor, that the most vigilant attention of his officers might be eluded by the ingenuity or boldness of Francis or his attendants, and one unlucky hour might deprive him of all the advantages which he had been so solicitous to obtain. By these considerations, he was induced to abate somewhat of his former demands. On the other hand, Francis's impatience under confinement daily increased; and having received certain intelligence of a powerful league forming against his rival in Italy, he grew more compliant with regard to his concessions, trusting that, if he could once obtain his liberty, he would soon be in a condition to resume whatever he had yielded.

1526. Treaty of Madrid. Such being the views and sentiments of the two monarchs, the treaty which procured Francis his liberty was signed at Madrid, on the fourteenth of January one thousand five hundred and twenty-six. The article with regard to Burgundy, which had hitherto created the greatest difficulty, was compromised, Francis engaging to restore that dutchy with all its dependencies in full sovereignty to the emperor; and Charles consenting, that this restitution should not be made until the king was set at liberty. In order to secure the performance of this, as well as the other conditions in the treaty, Francis agreed that, at the same instant when he himself should be released, he would deliver as hostages to the emperor, his eldest son the dauphin, his second son the duke of Orleans, or, in lieu of the latter, twelve of his principal nobility, to be named by Charles. The other articles swelled to a great number, and, though not of such importance, were extremely rigorous. Among these the most remarkable were,

that Francis should renounce all his pretensions in Italy; that he should disclaim any title which he had to the sovereignty of Flanders and Artois; that, within six weeks after his release, he should restore to Bourbon, and his adherents, all their goods, moveable and immoveable, and make them full reparation for the damages which they had sustained by the confiscation of them; that he should use his interest with Henry d'Albret to relinquish his pretensions to the crown of Navarre, and should not, for the future, assist him in any attempt to recover it; that there should be established between the emperor and Francis a league of perpetual friendship and confederacy, with a promise of mutual assistance in every case of necessity; that, in corroboration of this union, Francis should marry the emperor's sister, the queen dowager of Portugal; that Francis should cause all the articles of this treaty to be ratified by the states, and registered in the parliaments of his kingdom; that, upon the emperor's receiving this ratification, the hostages should be set at liberty; but, in their place, the duke of Angoulême, the king's third son, should be delivered to Charles; that, in order to manifest, as well as to strengthen the amity between the two monarchs, he might be educated at the imperial court; and that if Francis did not, within the time limited, fulfil the stipulations in the treaty, he should promise, upon his honour and oath, to return to Spain, and to surrender himself again a prisoner to the emperor[i]. 1526.

By this treaty, Charles flattered himself that he had not only effectually humbled his rival, but that he had taken such precautions, as would for ever prevent his reattaining any formidable degree of power. The opinion, which the wisest politicians formed concerning it, was very different; they could not persuade themselves that Francis, after obtaining his liberty, would execute Sentiments of that age with respect to it.

[i] Recueil des Trait. tom. ii. 112. Ulloa, Vita di Carlo V. p. 102, etc.

1526. articles against which he had struggled so long, and to which, notwithstanding all that he felt during a long and rigorous confinement, he had consented with the utmost reluctance. Ambition and resentment, they knew, would conspire in prompting him to violate the hard conditions to which he had been constrained to submit; nor would arguments and casuistry be wanting to represent that which was so manifestly advantageous, to be necessary and just. If one part of Francis's conduct had been known at that time, this opinion might have been founded, not in conjecture, but in certainty. A few hours before he signed the treaty, he assembled such of his counsellors as were then at Madrid; and having exacted from them a solemn oath of secrecy, he made a long enumeration, in their presence, of the dishonourable arts, as well as unprincely rigour, which the emperor had employed in order to ensnare or intimidate him. For that reason, he took a formal protest in the hands of notaries, that his consent to the treaty should be considered as an involuntary deed, and be deemed null and void[k]. By this disingenuous artifice, for which even the treatment that he had met with was no apology, Francis endeavoured to satisfy his honour and conscience in signing the treaty, and to provide, at the same time, a pretext on which to break it.

Francis secretly protests against the validity of it.

Great, meanwhile, were the outward demonstrations of love and confidence between the two monarchs; they appeared often together in public; they frequently had long conferences in private; they travelled in the same litter, and joined in the same amusements. But, amidst these signs of peace and friendship, the emperor still harboured suspicion in his mind. Though the ceremonies of the marriage between Francis and the queen of Portugal were performed soon after the conclusion of the treaty, Charles would not per-

[k] Recueil des Trait. tom. ii. 107.

mit him to consummate it until the return of the ratification from France. Even then Francis was not allowed to be at full liberty; his guards were still continued; though caressed as a brother-in-law, he was still watched like a prisoner; and it was obvious to attentive observers, that an union, in the very beginning of which there might be discerned such symptoms of jealousy and distrust, could not be cordial, or of long continuance[1]. 1526.

About a month after the signing of the treaty, the regent's ratification of it was brought from France; and that wise princess, preferring, on this occasion, the public good to domestic affection, informed her son, that, instead of the twelve noblemen named in the treaty, she had sent the duke of Orleans along with his brother the dauphin, to the frontier, as the kingdom could suffer nothing by the absence of a child, but must be left almost incapable of defence, if deprived of its ablest statesmen and most experienced generals, whom Charles had artfully included in his nomination. Ratified in France.

At last Francis took leave of the emperor, whose suspicion of the king's sincerity increasing, as the time of putting it to the proof approached, he endeavoured to bind him still faster by exacting new promises, which, after those he had already made, the French monarch was not slow to grant. He set out from Madrid, a place which the remembrance of many afflicting circumstances rendered peculiarly odious to him, with the joy natural on such an occasion, and began the long-wished-for journey towards his own dominions. He was escorted by a body of horse under the command of Alarcon, who, as the king drew near the frontiers of France, guarded him with more scrupulous exactness than ever. When he arrived at the river Andaye, which separates the two kingdoms, Lautrec appeared on the opposite bank with a guard of horse equal in Francis set at liberty.

[1] Guic. lib. xvi. 353.

1526. number to Alarcon's. An empty bark was moored in the middle of the stream; the attendants drew up in order on the opposite banks; at the same instant, Lannoy, with eight gentlemen, put off from the Spanish, and Lautrec with the same number from the French side of the river; the former had the king in his boat; the latter, the dauphin and duke of Orléans; they met in the empty vessel; the exchange was made in a moment: Francis, after a short embrace of his children, leaped into Lautrec's boat, and reached the French shore. He mounted at that instant a Turkish horse, waved his hand over his head, and with a joyful voice crying aloud several times, "I am yet a king," galloped full speed to St. John de Luz, and from thence to Bayonne. This event, no less impatiently desired by the French nation than by their monarch, happened on the eighteenth of March, a year and twenty-two days after the fatal battle of Pavia[m].

The emperor's marriage with Isabella of Portugal.

Soon after the emperor had taken leave of Francis, and permitted him to begin his journey towards his own dominions, he set out for Seville, in order to solemnize his marriage with Isabella, the daughter of Emanuel, the late king of Portugal, and the sister of John the third, who had succeeded him in the throne of that kingdom. Isabella was a princess of uncommon beauty and accomplishments; and as the cortes, both in Castile and Aragon, had warmly solicited their sovereign to marry, the choice of a wife so nearly allied to the royal blood of both kingdoms was extremely acceptable to his subjects. The Portuguese, fond of this new connexion with the first monarch in christendom, granted him an extraordinary dowry with Isabella, amounting to nine hundred thousand crowns, a sum which, from the situation of his affairs at that juncture, was of no small consequence to the emperor.

March 12. The marriage was celebrated with that splendour and

[m] Sandov. Hist. i. 735. Guic. lib. xvi. 355.

gaiety which became a great and youthful prince. Charles lived with Isabella in perfect harmony, and treated her on all occasions with much distinction and regard[n]. 1526.

Affairs of Germany.

During these transactions, Charles could hardly give any attention to the affairs of Germany, though it was torn in pieces by commotions, which threatened the most dangerous consequences. By the feudal institutions, which still subsisted almost unimpaired in the empire, the property of lands was vested in the princes and free barons. Their vassals held of them by the strictest and most limited tenures; while the great body of the people was kept in a state but little removed from absolute servitude. In some places of Germany, people of the lowest class were so entirely in the power of their masters, as to be subject to personal and domestic slavery, the most rigorous form of that wretched state. In other provinces, particularly in Bohemia and Lusatia, the peasants were bound to remain on the lands to which they belonged, and, making part of the estate, were transferred like any other property from one hand to another. Even in Suabia, and the countries on the banks of the Rhine, where their condition was most tolerable, the peasants not only paid the full rent of their farms to the landlord; but if they chose either to change the place of their abode, or to follow a new profession, before they could accomplish what they desired, they were obliged to purchase this privilege at a certain price. Besides this, all grants of lands to peasants expired at their death, without descending to their posterity. Upon that event, the landlord had a right to the best of their cattle, as well as of their furniture; and their heirs, in order to obtain a renewal of the grant, were obliged to pay large sums by way of fine. These exactions, though grievous, were borne

Grievances of the peasants.

[n] Ulloa, Vita di Carlo V. p. 106. Belcarius Com. Rer. Gallic. p. 565. Spalatinus ap. Struv. Corp. Hist. Germ. ii. 1081.

1526. with patience, because they were customary and ancient: but when the progress of elegance and luxury, as well as the changes introduced into the art of war, came to increase the expense of government, and made it necessary for princes to levy occasional or stated taxes on their subjects, such impositions being new, appeared intolerable; and in Germany, these duties being laid chiefly upon beer, wine, and other necessaries of life, affected the common people in the most sensible manner. The addition of such a load to their former burthens drove them to despair. It was to the valour inspired by resentment against impositions of this kind, that the Swiss owed the acquisition of their liberty in the fourteenth century. The same cause had excited the peasants in several other provinces of Germany to rebel against their superiors towards the end of the fifteenth and beginning of the sixteenth centuries; and though these insurrections were not attended with like success, they could not, however, be quelled without much difficulty and bloodshed[o].

Their insurrection in Suabia

By these checks, the spirit of the peasants was overawed rather than subdued; and their grievances multiplying continually, they ran to arms, in the year one thousand five hundred and twenty-six, with the most frantic rage. Their first appearance was near Ulm, in Suabia. The peasants in the adjacent country flocked to their standard with the ardour and impatience natural to men who, having groaned long under oppression, beheld at last some prospect of deliverance; and the contagion, spreading from province to province, reached almost every part of Germany. Wherever they came, they plundered the monasteries; wasted the lands of their superiors; razed their castles, and massacred without mercy all persons of noble birth, who were so unhappy as to fall into their hands[p].

[o] Seckend. lib. ii. 2. 6.

[p] Petr. Crinitus de Bello Rusticano, ap. Freher. Script. Rer. Germ. Argent. 1717, vol. iii. 243.

Having intimidated their oppressors, as they imagined, by the violence of these proceedings, they began to consider what would be the most proper and effectual method of securing themselves for the future from their tyrannical exactions. With this view, they drew up and published a memorial, containing all their demands, and declared, that, while arms were in their hands, they would either persuade or oblige the nobles to give them full satisfaction with regard to these. The chief articles were, that they might have liberty to choose their own pastors; that they might be freed from the payment of all tithes, except those of corn; that they might no longer be considered as the slaves or bondmen of their superiors; that the liberty of hunting and fishing might be common; that the great forests might not be regarded as private property, but be open for the use of all; that they might be delivered from the unusual burthen of taxes under which they laboured; that the administration of justice might be rendered less rigorous and more impartial; that the encroachments of the nobles upon meadows and commons might be restrained[q]. 1526.

Many of these demands were extremely reasonable; and, being urged by such formidable numbers, should have met with some redress. But those unwieldy bodies, assembled in different places, had neither union, nor conduct, nor vigour. Being led by persons of the lowest rank, without skill in war, or knowledge of what was necessary for accomplishing their designs; all their exploits were distinguished only by a brutal and unmeaning fury. To oppose this, the princes and nobles of Suabia and the lower Rhine raised such of their vassals as still continued faithful, and attacking some of the mutineers with open force, and others by surprise, cut to pieces or dispersed all who infested those provinces; so that the peasants, after ruining the quelled.

[q] Sleid. Hist. p. 90.

1526. open country, and losing upwards of twenty thousand of their associates in the field, were obliged to return to their habitations with less hope than ever of relief from their grievances[r].

Their insurrections in Thuringia

These commotions happened at first in provinces of Germany where Luther's opinions had made little progress; and, being excited wholly by political causes, had no connexion with the disputed points in religion. But the frenzy reached at last those countries in which the reformation was established, derived new strength from circumstances peculiar to them, and rose to a still greater pitch of extravagance. The reformation, wherever it was received, increased that bold and innovating spirit to which it owed its birth. Men who had the courage to overturn a system supported by every thing which can command respect or reverence, were not to be overawed by any authority, how great or venerable soever. After having been accustomed to consider themselves as judges of the most important doctrines in religion, to examine these freely, and to reject without scruple what appeared to them erroneous, it was natural for them to turn the same daring and inquisitive eye towards government, and to think of rectifying whatever disorders or imperfections were discovered there. As religious abuses had been reformed in several places without the permission of the magistrate, it was an easy transition to attempt the redress of political grievances in the same manner.

more formidable.

No sooner, then, did the spirit of revolt break out in Thuringia, a province subject to the elector of Saxony, the inhabitants of which were mostly converts to lutheranism, than it assumed a new and more dangerous form. Thomas Muncer, one of Luther's disciples, having established himself in that country, had acquired a wonderful ascendant over the minds of the

[r] Seckend. lib. ii. 10. Petr. Gnodalius de Rusticanorum Tumultu in Germania, ap. Scard. Script. vol. ii. 131, etc.

people. He propagated among them the wildest and most enthusiastic notions, but such as tended manifestly to inspire them with boldness, and lead them to sedition. "Luther," he told them, "had done more hurt than service to religion. He had, indeed, rescued the church from the yoke of popery, but his doctrines encouraged, and his life set an example of, the utmost licentiousness of manners. In order to avoid vice," says he, "men must practise perpetual mortification. They must put on a grave countenance, speak little, wear a plain garb, and be sérious in their whole deportment. Such as prepare their hearts in this manner, may expect that the supreme being will direct all their steps, and by some visible sign discover his will to them; if that illumination be at any time withheld, we may expostulate with the Almighty, who deals with us so harshly, and remind him of his promises. This expostulation and anger will be highly acceptable to God, and will at last prevail on him to guide us with the same unerring hand which conducted the patriarchs of old. Let us beware, however, of offending him by our arrogance; but as all men are equal in his eye, let them return to that condition of equality in which he formed them; and, having all things in common, let them live together like brethren, without any marks of subordination or preeminence[s]." 1526. Their fanatical spirit.

Extravagant as these tenets were, they flattered so many passions in the human heart, as to make a deep impression. To aim at nothing more than abridging the power of the nobility, was now considered as a trifling and partial reformation, not worth the contending for; it was proposed to level every distinction among mankind, and, by abolishing property, to reduce them to their natural state of equality, in which all should receive their subsistence from one common stock. Muncer assured them, that the design was

[s] Seckend. lib. ii. 13. Sleid. Hist. p. 83.

1526. approved of by heaven, and that the Almighty had in a dream ascertained him of its success. The peasants set about the execution of it, not only with the rage which animated those of their order in other parts of Germany, but with the ardour which enthusiasm inspires. They deposed the magistrates in all the cities of which they were masters; seized the lands of the nobles, and obliged such of them as they got into their hands, to put on the dress commonly worn by peasants, and, instead of their former titles, to be satisfied with the appellation given to people in the lowest class of life. Great numbers engaged in this wild undertaking; but Muncer, their leader and their prophet, was destitute of the abilities necessary for conducting it. He had all the extravagance, but not the courage, which enthusiasts usually possess. It was with difficulty he could be persuaded to take the field; and though he soon drew together eight thousand men, he suffered himself to be surrounded by a body of cavalry, under the command of the elector of Saxony, the landgrave of Hesse, and the duke of Brunswick. These princes, unwilling to shed the blood of their deluded subjects, sent a young nobleman to their camp, with the offer of a general pardon, if they would immediately lay down their arms, and deliver up the authors of the sedition. Muncer, alarmed at this, began to harangue his followers with his usual vehemence, exhorting them not to trust these deceitful promises of their oppressors, nor to desert the cause of God, and of christian liberty.

Peasants defeated.

But the sense of present danger making a deeper impression on the peasants than his eloquence, confusion and terrour were visible in every face, when a rainbow, which was the emblem that the mutineers had painted on their colours, happening to appear in the clouds, Muncer, with admirable presence of mind, laid hold of that incident, and suddenly raising his eyes and hands towards heaven, "Behold," cries he, with an ele-

vated voice, "the sign which God has given. There is the pledge of your safety, and a token that the wicked shall be destroyed." The fanatical multitude set up instantly a great shout, as if victory had been certain; and, passing in a moment from one extreme to another, massacred the unfortunate nobleman who had come with the offer of pardon, and demanded to be led towards the enemy. The princes, enraged at this shocking violation of the laws of war, advanced with no less impetuosity, and began the attack; but the behaviour of the peasants in the combat was not such as might have been expected either from their ferocity or confidence of success; an undisciplined rabble was no equal match for well-trained troops; above five thousand were slain in the field, almost without making resistance; the rest fled, and among the foremost, Muncer their general. He was taken next day; and being condemned to such punishments as his crimes had deserved, he suffered them with a poor and dastardly spirit. His death put an end to the insurrections of the peasants, which had filled Germany with such terrour[1]; but the enthusiastic notions which he had scattered were not extirpated, and produced, not long after, effects more memorable, as well as more extravagant. 1526. May 15.

Luther's moderate and prudent conduct.

During these commotions, Luther acted with exemplary prudence and moderation; like a common parent, solicitous about the welfare of both parties, without sparing the faults or errours of either. On the one hand, he addressed a monitory discourse to the nobles, exhorting them to treat their dependants with greater humanity and indulgence. On the other, he severely censured the seditious spirit of the peasants, advising them not to murmur at hardships inseparable from

[1] Sleid. Hist. p. 84. Seckend. lib. ii. 12. Gnodalius, Tumult. Rustican. p. 155.

1526. their condition, nor to seek for redress by any but legal means [u].

His marriage.

Luther's famous marriage with Catherine à Boria, a nun of a noble family, who, having thrown off the veil, had fled from the cloister, happened this year, and was far from meeting with the same approbation. Even his most devoted followers thought this step indecent, at a time when his country was involved in so many calamities; while his enemies never mentioned it with any softer appellation than that of incestuous or profane. Luther himself was sensible of the impression which it had made to his disadvantage; but being satisfied with his own conduct, he bore the censure of his friends, and the reproaches of his adversaries, with his usual fortitude [x].

May 5.

This year the reformation lost its first protector, Frederic, elector of Saxony; but the blow was the less sensibly felt, as he was succeeded by his brother John, a more avowed and zealous, though less able patron of Luther and his doctrines.

Prussia wrested from the Teutonic order.

Another event happened about the same time, which, as it occasioned a considerable change in the state of Germany, must be traced back to its source. While the frenzy of the crusades possessed all Europe during the twelfth and thirteenth centuries, several orders of religious knighthood were founded in defence of the christian faith against heathens and infidels. Among these, the Teutonic order in Germany was one of the most illustrious, the knights of which distinguished themselves greatly in all the enterprises carried on in the Holy Land. Being driven at last from their settlements in the east, they were obliged to return to their native country. Their zeal and valour were too impetuous to remain long inactive. They invaded, on very slight pretences, the province of Prussia, the in-

[u] Sleid. Hist. p. 87. [x] Seckend. lib. ii. 15.

habitants of which were still idolaters; and, having completed the conquest of it about the middle of the thirteenth century, held it many years as a fief depending on the crown of Poland. Fierce contests arose, during this period, between the grand masters of the order and the kings of Poland; the former struggling for independence, while the latter asserted their right of sovereignty with great firmness. Albert, a prince of the house of Brandenburg, who was elected grand master in the year one thousand five hundred and eleven, engaging keenly in this quarrel, maintained a long war with Sigismund, king of Poland; but having become an early convert to Luther's doctrines, this gradually lessened his zeal for the interests of his fraternity, so that he took the opportunity of the confusions in the empire, and the absence of the emperor, to conclude a treaty with Sigismund, greatly to his own private emolument. By it, that part of Prussia, which belonged to the Teutonic order, was erected into a secular and hereditary dutchy, and the investiture of it granted to Albert, who, in return, bound himself to do homage for it to the kings of Poland as their vassal. Immediately after this, he made public profession of the reformed religion, and married a princess of Denmark. The Teutonic knights exclaimed so loudly against the treachery of their grand master, that he was put under the ban of the empire; but he still kept possession of the province which he had usurped, and transmitted it to his posterity. In process of time, this rich inheritance fell to the electoral branch of the family; all dependence on the crown of Poland was shaken off; and the margraves of Brandenburg, having assumed the title of kings of Prussia, have not only risen to an equality with the first princes in Germany, but take their rank among the great monarchs of Europe[y]. 1526.

[y] Sleid. Hist. p. 98. Pfeffel, Abrégé de l'Hist. du Droit Publ. p. 605, etc.

1526. Upon the return of the French king to his dominions, the eyes of all the powers in Europe were fixed upon him, that, by observing his first motions, they might form a judgment concerning his subsequent conduct. They were not held long in suspense. Francis, as soon as he arrived at Bayonne, wrote to the king of England, thanking him for the zeal and affection wherewith he had interposed in his favour, to which he acknowledged that he owed the recovery of his liberty. Next day, the emperor's ambassadors demanded audience, and, in their master's name, required him to issue such orders as were necessary for carrying the treaty of Madrid into immediate and full execution. He coldly answered, that though, for his own part, he determined religiously to perform all that he had promised, the treaty contained so many articles relative not to himself alone, but affecting the interests of the French monarchy, that he could not take any farther step without consulting the states of his kingdom, and that some time would be necessary, in order to reconcile their minds to the hard conditions which he had consented to ratify[z]. This reply was considered as no obscure discovery of his being resolved to elude the treaty; and the compliment paid to Henry, appeared a very proper step towards securing the assistance of that monarch in the war with the emperor, to which such a resolution would certainly give rise. These circumstances, added to the explicit declarations which Francis made in secret to the ambassadors from several of the Italian powers, fully satisfied them that their conjectures with regard to his conduct had been just; and that, instead of intending to execute an unreasonable treaty, he was eager to seize the first opportunity of revenging those injuries which had compelled him to feign an approbation of it. Even the doubts, and fears, and scruples, which used, on other

First measures of the French king upon his return to France.

[z] Mém. de Bellay, p. 97.

occasions, to hold Clement in a state of uncertainty, were dissipated by Francis's seeming impatience to break through all his engagements with the emperor. The situation, indeed, of affairs in Italy at that time did not allow the pope to hesitate long. Sforza was still besieged by the imperialists in the castle of Milan. That feeble prince, deprived now of Morone's advice, and unprovided with every thing necessary for defence, found means to inform Clement and the Venetians, that he must soon surrender, if they did not come to his relief. The imperial troops, as they had received no pay since the battle of Pavia, lived at discretion in the Milanese, levying such exorbitant contributions in that dutchy, as amounted, if we may rely on Guicciardini's calculation, to no less a sum than five thousand ducats a day[a]; nor was it to be doubted, but that the soldiers, as soon as the castle should submit, would choose to leave a ruined country which hardly afforded them subsistence, that they might take possession of more comfortable quarters in the fertile and untouched territories of the pope and Venetians. The assistance of the French king was the only thing which could either save Sforza, or enable them to protect their own dominions from the insults of the imperial troops. 1526.

A league formed against the emperor.

For these reasons, the pope, the Venetians, and duke of Milan, were equally impatient to come to an agreement with Francis, who, on his part, was no less desirous of acquiring such a considerable accession both of strength and reputation as such a confederacy would bring along with it. The chief objects of this alliance, which was concluded at Cognac on the twenty-second of May, though kept secret for some time, were to oblige the emperor to set at liberty the French king's sons, upon payment of a reasonable ransom, and to reestablish Sforza in the quiet possession of the Milanese. If Charles should refuse either of

[a] Guic. lib. xvii. 360.

1526. these, the contracting parties bound themselves to bring into the field an army of thirty-five thousand men, with which, after driving the Spaniards out of the Milanese, they would attack the kingdom of Naples. The king of England was declared protector of this league, which they dignified with the name of 'holy,' because the pope was at the head of it; and in order to allure Henry more effectually, a principality in the kingdom of Naples, of thirty thousand ducats' yearly revenue, was to be settled on him; and lands to the value of ten thousand ducats on Wolsey, his favourite [b].

The pope absolves Francis from his oath to observe the treaty of Madrid.

No sooner was this league concluded, than Clement, by the plenitude of his papal power, absolved Francis from the oath which he had taken to observe the treaty of Madrid [c]. This right, how pernicious soever in its effects, and destructive of that integrity which is the basis of all transactions among men, was the natural consequence of the powers which the popes arrogated as the infallible vicegerents of Christ upon earth. But as, in virtue of this pretended prerogative, they had often dispensed with obligations which were held sacred, the interest of some men, and the credulity of others, led them to imagine, that the decisions of a sovereign pontiff authorized or justified actions which would, otherwise, have been criminal and impious.

The emperor alarmed.

The discovery of Francis's intention to elude the treaty of Madrid, filled the emperor with a variety of disquieting thoughts. He had treated an unfortunate prince in the most ungenerous manner; he had displayed an insatiable ambition in all his negotiations with his prisoner; he knew what censures the former had drawn upon him, and what apprehensions the latter had excited in every court of Europe; nor had he reaped from the measures which he pursued, any of those ad-

[b] P. Heuter. Rer. Austr. lib. ix. c. 3 p. 217. Recueil des Trait. ii. p. 124.
[c] Goldast. Polit. Imperial. p. 1002. Pallav. Hist. p. 70.

vantages which politicians are apt to consider as an excuse for the most criminal conduct, and a compensation for the severest reproaches. Francis was now out of his hands, and not one of all the mighty consequences, which he had expected from the treaty that set him at liberty, was likely to take place. His rashness in relying so far on his own judgment as to trust to the sincerity of the French king, in opposition to the sentiments of his wisest ministers, was now apparent; and he easily conjectured, that the same confederacy, the dread of which had induced him to set Francis at liberty, would now be formed against him with that gallant and incensed monarch at its head. Self-condemnation and shame, on account of what was past, with anxious apprehensions concerning what might happen, were the necessary result of these reflections on his own conduct and situation. Charles, however, was naturally firm and inflexible in all his measures. To have receded suddenly from any article in the treaty of Madrid, would have been a plain confession of imprudence, and a palpable symptom of fear; he determined, therefore, that it was most suitable to his dignity, to insist, whatever might be the consequences, on the strict execution of the treaty, and particularly not to accept of any thing which might be offered as an equivalent for the restitution of Burgundy[d]. 1526.

Requires Francis to perform what he had stipulated.

In consequence of this resolution, he appointed Lannoy and Alarcon to repair, as his ambassadors, to the court of France, and formally to summon the king, either to execute the treaty with the sincerity that became him, or to return, according to his oath, a prisoner to Madrid. Instead of giving them an immediate answer, Francis admitted the deputies of the states of Burgundy to an audience in their presence. They humbly represented to him, that he had exceeded the powers vested in a king of France, when he

[d] Guic. lib. xvii. 366.

1526. consented to alienate their country from the crown, the domains of which he was bound by his coronation oath to preserve entire and unimpaired. Francis, in return, thanked them for their attachment to his crown, and entreated them, though very faintly, to remember the obligations which he lay under to fulfil his engagements with the emperor. The deputies, assuming an higher tone, declared, that they would not obey commands which they considered as illegal; and, if he should abandon them to the enemies of France, they had resolved to defend themselves to the best of their power, with a firm purpose rather to perish than

His answer. submit to a foreign dominion. Upon which Francis, turning towards the imperial ambassadors, represented to them the impossibility of performing what he had undertaken, and offered, in lieu of Burgundy, to pay the emperor two millions of crowns. The viceroy and Alarcon, who easily perceived, that the scene to which they had been witnesses was concerted between the king and his subjects in order to impose upon them, signified to him their master's fixed resolution not to depart in the smallest point from the terms of the treaty, and withdrew[e]. Before they left the kingdom, they had the mortification to hear the holy league

June 11. against the emperor published with great solemnity.

The emperor's preparations for war. Charles no sooner received an account of this confederacy, than he exclaimed, in the most public manner, and in the harshest terms, against Francis, as a prince void of faith and of honour. He complained no less of Clement, whom he solicited in vain to abandon his new allies; he accused him of ingratitude; he taxed him with an ambition unbecoming his character; he threatened him not only with all the vengeance which the power of an emperor can inflict, but, by appealing to a general council, called up before his eyes all the terrours arising from the authority of those

[e] Belcar. Comment. de Reb. Gal. p. 573. Mém. de Bellay, p. 97.

assemblies so formidable to the papal see. It was necessary, however, to oppose something else than reproaches and threats to the powerful combination formed against him; and the emperor, prompted by so many passions, did not fail to exert himself with unusual vigour, in order to send supplies, not only of men, but of money, which was still more needed, into Italy. 1526.

On the other hand, the efforts of the confederates bore no proportion to that animosity against the emperor, with which they seemed to enter into the holy league. Francis, it was thought, would have infused spirit and vigour into the whole body. He had his lost honour to repair, many injuries to revenge, and the station among the princes of Europe, from which he had fallen, to recover. From all these powerful incitements, added to the natural impetuosity of his temper, a war more fierce and bloody than any that he had hitherto made upon his rival, was expected. But Francis had gone through such a scene of distress, and the impression it had made was still so fresh in his memory, that he was become diffident himself, distrustful of fortune, and desirous of tranquillity. To procure the release of his sons, and to avoid the restitution of Burgundy by paying some reasonable equivalent, were his chief objects; and for the sake of these, he would willingly have sacrificed Sforza, and the liberties of Italy, to the emperor. He flattered himself, that the dread of the confederacy which he had formed would of itself induce Charles to listen to what was equitable; and was afraid of employing any considerable force for the relief of the Milanese, lest his allies, whom he had often found to be more attentive to their own interest, than punctual in fulfilling their engagements, should abandon him as soon as the imperialists were driven out of that country, and deprive his negotiations with the emperor of that weight which they derived

Feeble operations of the confederates.

1526. from his being at the head of a powerful league. In the mean time the castle of Milan was pressed more closely than ever, and Sforza was now reduced to the last extremity. The pope and Venetians, trusting to Francis's concurrence, commanded their troops to take the field, in order to relieve him; and an army more than sufficient for that service was soon formed. The Milanese, passionately attached to their unfortunate duke, and no less exasperated against the imperialists, who had oppressed them so cruelly, were ready to aid the confederates in all their enterprises. But the duke d'Urbino, their general, naturally slow and indecisive, and restrained, besides, by his ancient enmity to the family of Medici, from taking any step that might aggrandize or add reputation to the pope[f], lost some opportunities of attacking the imperialists, and raising the siege, and refused to improve others. These
July 24. delays gave Bourbon time to bring up a reinforcement of fresh troops, and a supply of money. He immediately took the command of the army, and pushed on the siege with such vigour, as quickly obliged Sforza to surrender; who, retiring to Lodi, which the confederates had surprised, left Bourbon in full possession of the rest of the dutchy, the investiture of which the emperor had promised to grant him[g].

Disquietude of the Italian powers.

The Italians began now to perceive the game which Francis had played, and to be sensible that, notwithstanding all their address and refinements in negotiation, which they boasted of as talents peculiarly their own, they had for once been overreached in those very arts by a 'tramontane' prince. He had hitherto thrown almost the whole burthen of the war upon them, taking advantage of their efforts, in order to enforce the proposals which he often renewed at the court of Madrid for obtaining the liberty of his sons.

[f] Guic. lib. xvii. 382.

[g] Ibid. lib. xvii. 376, etc.

The pope and Venetians expostulated and complained[h]; but as they were not able to rouse Francis from his inactivity, their own zeal and vigour gradually abated; and Clement, having already gone farther than his timidity usually permitted him, began to accuse himself of rashness, and to relapse into his natural state of doubt and uncertainty. 1526.

All the emperor's motions depending on himself alone, were more brisk and better concerted. The narrowness of his revenues, indeed, did not allow him to make any sudden or great effort in the field, but he abundantly supplied that defect by his intrigues and negotiations. The family of Colonna, the most powerful of all the Roman barons, had adhered uniformly to the ghibeline or imperial faction, during those fierce contentions between the popes and emperors, which for several ages filled Italy and Germany with discord and bloodshed. Though the causes which at first gave birth to these destructive factions existed no longer, and the rage with which they had been animated was in a great measure spent, the Colonnas still retained their attachment to the imperial interest, and, by placing themselves under the protection of the emperors, secured the quiet possession of their own territories and privileges. The cardinal Pompeo Colonna, a man of a turbulent and ambitious temper, at that time the head of the family, had long been Clement's rival, to whose influence in the last conclave he imputed the disappointment of all his schemes for attaining the papal dignity, of which, from his known connexion with the emperor, he thought himself secure. To an aspiring mind, this was an injury too great to be forgiven; and though he had dissembled his resentment so far as to vote for Clement at his election, and to accept of great offices in his court, he waited with the utmost impatience for an opportunity of being

Measures of the imperialists.

[h] Ruscelli, Lettere de' Principi, ii. 15, etc. 159, 160. 166.

1526. revenged. Don Hugo de Moncada, the imperial ambassador at Rome, who was no stranger to these sentiments, easily persuaded him that now was the time, while all the papal troops were employed in Lombardy, to attempt something, which would at once avenge his own wrongs, and be of essential service to the emperor his patron. The pope, however, whose timidity rendered him quick-sighted, was so attentive to their operations, and began to be alarmed so early, that he might have drawn together troops sufficient to have disconcerted all Colonna's measures. But Moncada amused him so artfully with negotiations, promises, and false intelligence, that he lulled asleep all his suspicions, and prevented his taking any of the precautions necessary for his safety; and, to the disgrace of a prince possessed of great power, as well as renowned for political wisdom, Colonna, at the head of three thousand men, seized one of the gates of his capital, while he, imagining himself to be in perfect security, was altogether unprepared for resisting such a feeble enemy. The inhabitants of Rome permitted Colonna's troops, from whom they apprehended no injury, to advance without opposition; the pope's guards were dispersed in a moment; and Clement himself, terrified at the danger, ashamed of his own credulity, and deserted by almost every person, fled with precipitation into the castle of St. Angelo, which was immediately invested. The palace of the Vatican, the church of St. Peter, and the houses of the pope's ministers and servants, were plundered in the most licentious manner. The rest of the city was left unmolested. Clement, destitute of every thing necessary either for subsistence or defence, was soon obliged to demand a capitulation; and Moncada, being admitted into the castle, prescribed to him, with all the haughtiness of a conqueror, conditions which it was not in his power to reject. The chief of these was: That Clement should not only grant a full pardon to the Colonnas, but receive them into favour, and imme-

Sept. 29. The Colonnas become masters of Rome.

Accommodation between the pope and emperor.

diately withdraw all the troops in his pay from the army of the confederates in Lombardy[i]. 1526.

The Colonnas, who talked of nothing less than of deposing Clement, and of placing Pompeo, their kinsman, in the vacant chair of St. Peter, exclaimed loudly against a treaty which left them at the mercy of a pontiff justly incensed against them. But Moncada, attentive only to his master's interest, paid little regard to their complaints, and, by this fortunate measure, broke entirely the power of the confederates.

The imperial army reinforced.

While the army of the confederates suffered such a considerable diminution, the imperialists received two great reinforcements; one from Spain, under the command of Lannoy and Alarcon, which amounted to six thousand men; the other was raised in the empire by George Fronsperg, a German nobleman, who, having served in Italy with great reputation, had acquired such influence and popularity, that multitudes of his countrymen, fond on every occasion of engaging in military enterprises, and impatient at that juncture to escape from the oppression which they felt in religious as well as civil matters, crowded to his standard; so that, without any other gratuity than the payment of a crown to each man, fourteen thousand enlisted in his service. To these the archduke Ferdinand added two thousand horse, levied in the Austrian dominions. But although the emperor had raised troops, he could not remit the sums necessary for their support. His ordinary revenues were exhausted; the credit of princes, during the infancy of commerce, was not extensive; and the cortes of Castile, though every art had been tried to gain them, and some innovations had been made in the constitution, in order to secure their concurrence, peremptorily refused to grant Charles any extraordinary supply[k]; so that the more his army in-

[i] Jovii Vita Pomp. Colon. Guic. lib. xvii. 407. Ruscelli, Lettere de' Principi, i. 104.

[k] Sandov. i. 814.

1526. creased in number, the more were his generals embarrassed and distressed. Bourbon, in particular, was involved in such difficulties, that he stood in need of all his address and courage in order to extricate himself. Large sums were due to the Spanish troops already in the Milanese, when Fronsperg arrived with sixteen thousand hungry Germans, destitute of every thing. Both made their demands with equal fierceness; the former claiming their arrears, and the latter, the pay which had been promised them on their entering Lombardy. Bourbon was altogether incapable of giving satisfaction to either. In this situation, he was constrained to commit acts of violence extremely shocking to his own nature, which was generous and humane. He seized the principal citizens of Milan, and by threats, and even by torture, forced from them a considerable sum; he rifled the churches of all their plate and ornaments; the inadequate supply which these afforded, he distributed among the soldiers, with so many soothing expressions of his sympathy and affection, that, though it fell far short of the sums due to them, it appeased their present murmurs[1].

The emperor's finances deficient.

Among other expedients for raising money, Bourbon granted his life and liberty to Morone, who having been kept in prison since his intrigue with Pescara, had been condemned to die by the Spanish judges empowered to try him. For this remission he paid twenty thousand ducats; and such were his singular talents, and the wonderful ascendant which he always acquired over the minds of those to whom he had access, that, in a few days, from being Bourbon's prisoner, he became his prime confidant, with whom he consulted in all affairs of importance. To his insinuations must be imputed the suspicions which Bourbon began to entertain, that the emperor had never intended to grant him the investiture of Milan, but had

Bourbon sets Morone at liberty.

[1] Ripamond. Hist. Mediol. lib. ix. 717.

appointed Leyva, and the other Spanish generals, rather to be spies on his conduct, than to cooperate heartily towards the execution of his schemes. To him, likewise, as he still retained, at the age of fourscore, all the enterprising spirit of youth, may be attributed the bold and unexpected measure on which Bourbon soon after ventured[m]. 1526.

His deliberations with respect to his motions.

Such, indeed, were the exigencies of the imperial troops in the Milanese, that it became indispensably necessary to take some immediate step for their relief. The arrears of the soldiers increased daily; the emperor made no remittances to his generals; and the utmost rigour of military extortion could draw nothing more from a country entirely drained and ruined. In this situation there was no choice left, but either to disband the army, or to march for subsistence into the enemy's country. The territories of the Venetians lay nearest at hand; but they, with their usual foresight and prudence, had taken such precautions as secured them from any insult. Nothing, therefore, remained but to invade the dominions of the church, or of the Florentines; and Clement had of late acted such a part, as merited the severest vengeance from the emperor. No sooner did the papal troops return to Rome after the insurrection of the Colonnas, than, without paying any regard to the treaty with Moncada, he degraded the cardinal Colonna, excommunicated the rest of the family, seized their places of strength, and wasted their lands with all the cruelty which the smart of a recent injury naturally excites. After this he turned his arms against Naples, and as his operations were seconded by the French fleet, he made some progress towards the conquest of that kingdom; the viceroy being no less destitute than the other imperial generals of the money requisite for a vigorous defence[n].

[m] Guic. lib. xvii. 419.

[n] Jovii Vita Pomp. Colon. Guic. lib. xviii. 424.

1527. These proceedings of the pope justified, in appearance, the measures which Bourbon's situation rendered necessary; and he set about executing them under such disadvantages, as furnish the strongest proof both of the despair to which he was reduced, and of the greatness of his abilities, which were able to surmount so many obstacles. Having committed the government of Milan to Leyva, whom he was not unwilling to leave behind, he began his march in the depth of winter, at the head of twenty-five thousand men, composed of nations differing from each other in language and manners; without money, without magazines, without artillery, without carriages; in short, without any of those things which are necessary to the smallest party, and which seem essential to the existence and motions of a great army. His route lay through a country cut by rivers and mountains, in which the roads were almost impracticable; as an addition to his difficulties, the enemy's army, superior to his own in number, was at hand to watch all his motions, and to improve every advantage. But his troops, impatient of their present hardships, and allured by the hopes of immense booty, without considering how ill provided they were for a march, followed him with great cheerfulness. His first scheme was to have made himself master of Placentia, and to have gratified his soldiers by the plunder of that city: but the vigilance of the confederate generals rendered the design abortive; nor had he better success in his project for the reduction of Bologna, which was seasonably supplied with as many troops as secured it from the insults of an army which had neither artillery nor ammunition. Having failed in both these attempts to become master of some great city, he was under a necessity of advancing. But he had now been two months in the field; his troops had suffered every calamity that a long march, together with the uncommon rigour of the season, could bring upon men destitute of all necessary accommodations in an enemy's

Marches to invade the pope's territories.

Jan. 30.

country; the magnificent promises to which they trusted, had hitherto proved altogether vain; they saw no prospect of relief; their patience, tried to the utmost, failed at last, and they broke out into open mutiny. Some officers, who rashly attempted to restrain them, fell victims to their fury. Bourbon himself, not daring to appear during the first transports of their rage, was obliged to fly secretly from his quarters[o]. But this sudden ebullition of wrath began at last to subside; when Bourbon, who possessed, in a wonderful degree, the art of governing the minds of soldiers, renewed his promises with more confidence than formerly, and assured them that they would be soon accomplished. He endeavoured to render their hardships more tolerable, by partaking of them himself; he fared no better than the meanest sentinel; he marched along with them on foot; he joined them in singing their camp ballads, in which, with high praises of his valour, they mingled many strokes of military raillery on his poverty; and wherever they came, he allowed them, as a foretaste of what he had promised, to plunder the adjacent villages at discretion. Encouraged by all these soothing arts, they entirely forgot their sufferings and complaints, and followed him with the same implicit confidence as formerly[p]. 1527. Mutiny of his troops.

Bourbon, meanwhile, carefully concealed his intentions. Rome and Florence, not knowing on which the blow would fall, were held in the most disquieting state of suspense. Clement, equally solicitous for the safety of both, fluctuated in more than his usual uncertainty; and while the rapid approach of danger called for prompt and decisive measures, he spent the time in deliberations which came to no issue, or in taking resolutions, which, next day, his restless mind, more sagacious in discerning than in obviating difficulties, over- The pope's irresolution and imprudence.

[o] Guic. lib. xviii. 434. Jovii Vit. Colon. 163.

[p] Oeuvres de Brant. vol. iv. 246, etc.

1527. turned, without being able to fix on what should be substituted in their place. At one time he determined to unite himself more closely than ever with his allies, and to push on the war with vigour; at another, he inclined to bring all differences to a final accommodation by a treaty with Lannoy, who, knowing his passion for negotiation, solicited him incessantly with proposals for that purpose. His timidity at length prevailed, and led him to conclude an agreement with Lannoy, of which the following were the chief articles: That a suspension of arms should take place between the pontifical and imperial troops for eight months: that Clement should advance sixty thousand crowns towards satisfying the demands of the imperial army: that the Colonnas should be absolved from censure, and their former dignities and possessions be restored to them: that the viceroy should come to Rome, and prevent Bourbon from approaching nearer to that city, or to Florence[q]. On this hasty treaty, which deprived him of all hopes of assistance from his allies, without affording him any solid foundation of security, Clement relied so firmly, that, like a man extricated at once out of all difficulties, he was at perfect ease, and, in the fulness of his confidence, disbanded all his troops except as many as were sufficient to guard his own person. This amazing confidence of Clement, who on every other occasion was fearful and suspicious to excess, appeared so unaccountable to Guicciardini, who, being at that time the pontifical commissary-general and resident in the confederate army, had great opportunities, as well as great abilities, for observing how chimerical all his hopes were, that he imputes the pope's conduct, at this juncture, wholly to infatuation, which those who are doomed to ruin cannot avoid[r].

March 15. Concludes a treaty with the viceroy of Naples;

which Bourbon disregards.

Lannoy, it would seem, intended to have executed the treaty with great sincerity; and having detached

[q] Guic. lib. xviii. 436.

[r] Id. ibid. 446.

Clement from the confederacy, wished to turn Bourbon's arms against the Venetians, who, of all the powers at war with the emperor, had exerted the greatest vigour. With this view he despatched a courier to Bourbon, informing him of the suspension of arms, which, in the name of their common master, he had concluded with the pope. Bourbon had other schemes, and he had prosecuted them now too far to think of retreating. To have mentioned a retreat to his soldiers would have been dangerous; his command was independent of Lannoy; he was fond of mortifying a man whom he had many reasons to hate: for these reasons, without paying the least regard to the message, he continued to ravage the ecclesiastical territories, and to advance towards Florence. Upon this, all Clement's terrour and anxiety returning with new force, he had recourse to Lannoy, and entreated and conjured him to put a stop to Bourbon's progress. Lannoy accordingly set out for his camp, but durst not approach it; Bourbon's soldiers having got notice of the truce, raged and threatened, demanding the accomplishment of the promises to which they had trusted; their general himself could hardly restrain them; every person in Rome perceived that nothing remained but to prepare for resisting a storm which it was now impossible to dispel. Clement alone, relying on some ambiguous and deceitful professions, which Bourbon made of his inclination towards peace, sunk back into his former security[s]. 1527.

Advances towards Rome.

Bourbon, on his part, was far from being free from solicitude. All his attempts on any place of importance had hitherto miscarried; and Florence, towards which he had been approaching for some time, was, by the arrival of the duke d'Urbino's army, put in a condition to set his power at defiance. As it now became necessary to change his route, and to take in-

[s] Guic. lib. xviii. 437, etc. Mém. de Bellay, p. 100.

1527. stantly some new resolution, he fixed, without hesitation, on one which was no less daring in itself, than it was impious, according to the opinion of that age. This was to assault and plunder Rome. Many reasons, however, prompted him to it. He was fond of thwarting Lannoy, who had undertaken for the safety of that city; he imagined that the emperor would be highly pleased to see Clement, the chief author of the league against him, humbled; he flattered himself, that by gratifying the rapacity of his soldiers with such immense booty, he would attach them for ever to his interest; or, which is still more probable than any of these, he hoped that, by means of the power and fame which he would acquire from the conquest of the first city in christendom, he might lay the foundation of an independent power; and that, after shaking off all connexion with the emperor, he might take possession of Naples, or of some of the Italian states, in his own name [t].

The pope's preparations for defence.

Whatever his motives were, he executed his resolution with a rapidity equal to the boldness with which he had formed it. His soldiers, now that they had their prey full in view, complained neither of fatigue, nor famine, nor want of pay. No sooner did they begin to move from Tuscany towards Rome, than the pope, sensible at last how fallacious the hopes had been on which he reposed, started from his security. But no time now remained, even for a bold and decisive pontiff, to have taken proper measures, or to have formed any effectual plan of defence. Under Clement's feeble conduct, all was consternation, disorder, and irresolution. He collected, however, such of his disbanded soldiers as still remained in the city; he armed the artificers of Rome, and the footmen and trainbearers of the cardinals; he repaired the breaches in the walls; he began to erect new works; he excom-

[t] Brant. iv. 271. vi. 189. Belcarii Comment. 594.

municated Bourbon and all his troops, branding the Germans with the name of lutherans, and the Spaniards with that of Moors[u]. Trusting to these ineffectual military preparations, or to his spiritual arms, which were still more despised by rapacious soldiers, he seems to have laid aside his natural timidity, and, contrary to the advice of all his counsellors, determined to wait the approach of an enemy whom he might easily have avoided by a timely retreat. 1527.

Assault of Rome.

Bourbon, who saw the necessity of despatch, now that his intentions were known, advanced with such speed, that he gained several marches on the duke d'Urbino's army, and encamped in the plains of Rome on the evening of the fifth of May. From thence he showed his soldiers the palaces and churches of that city, into which, as the capital of the christian commonwealth, the riches of all Europe had flowed during many centuries, without having been once violated by any hostile hand; and commanding them to refresh themselves that night, as a preparation for the assault next day, promised them, in reward of their toils and valour, the possession of all the treasures accumulated there.

Early in the morning, Bourbon, who had determined to distinguish that day either by his death or the success of his enterprise, appeared at the head of his troops clad in complete armour, above which he wore a vest of white tissue, that he might be more conspicuous both to his friends and to his enemies; and as all depended on one bold impression, he led them instantly to scale the walls. Three distinct bodies, one of Germans, another of Spaniards, and the last of Italians, the three different nations of whom the army was composed, were appointed to this service; a separate attack was assigned to each; and the whole army advanced to support them, as occasion should require.

[u] Seckend. lib. ii. 68.

1527. A thick mist concealed their approach until they reached almost the brink of the ditch which surrounded the suburbs: having planted their ladders in a moment, each brigade rushed on the assault with an impetuosity heightened by national emulation. They were received at first with fortitude equal to their own; the Swiss in the pope's guards, and the veteran soldiers who had been assembled, fought with a courage becoming men to whom the defence of the noblest city in the world was intrusted. Bourbon's troops, notwithstanding all their valour, gained no ground, and even began to give way; when their leader, perceiving that on this critical moment the fate of the day depended, leaped from his horse, pressed to the front, snatched a scaling ladder from a soldier, planted it against the wall, and began to mount it, encouraging his men with his voice and hand to follow him. But at that very instant, a musket bullet from the ramparts pierced his groin with a wound, which he immediately felt to be mortal; but he retained so much presence of mind as to desire those who were near him to cover his body with a cloak, that his death might not dishearten his troops; and soon after he expired with a courage worthy of a better cause, and which would have entitled him to the highest praise, if he had thus fallen in defence of his country, and not at the head of its enemies[x].

Bourbon slain.

The city taken;

This fatal event could not be concealed from the army; the soldiers soon missed their general, whom they were accustomed to see in every time of danger: but instead of being disheartened by their loss, it animated them with new valour; the name of Bourbon resounded along the line, accompanied with the cry of 'blood' and 'revenge.' The veterans who defended the walls were soon overpowered by numbers; the untrained body of city recruits fled at the sight of dan-

[x] Mém. de Bellay, 101. Guic. lib. xviii. 445, etc. Oeuv. de Brant. iv. 257, etc.

ger; and the enemy, with irresistible violence, rushed into the town. 1527.

During the combat, Clement was employed at the high altar of St. Peter's church in offering up to heaven unavailing prayers for victory. No sooner was he informed that his troops began to give way, than he fled with precipitation; and with an infatuation still more amazing than any thing already mentioned, instead of making his escape by the opposite gate, where there was no enemy to oppose it, he shut himself up, together with thirteen cardinals, the foreign ambassadors, and many persons of distinction, in the castle of St. Angelo, which, from his late misfortune, he might have known to be an insecure retreat. In his way from the Vatican to that fortress, he saw his troops flying before an enemy, who pursued without giving quarter; he heard the cries and lamentations of the Roman citizens, and beheld the beginning of those calamities which his own credulity and ill conduct had brought upon his subjects[y].

It is impossible to describe, or even to imagine, the misery and horrour of that scene which followed. Whatever a city taken by storm can dread from military rage, unrestrained by discipline; whatever excesses the ferocity of the Germans, the avarice of the Spaniards, or the licentiousness of the Italians could commit, these the wretched inhabitants were obliged to suffer. Churches, palaces, and the houses of private persons were plundered without distinction. No age, or character, or sex, was exempt from injury. Cardinals, nobles, priests, matrons, virgins, were all the prey of soldiers, and at the mercy of men deaf to the voice of humanity. Nor did these outrages cease, as is usual in towns which are carried by assault, when the first fury of the storm was over; the imperialists kept possession of Rome several months; and, during

Rome plundered.

[y] Jov. Vit. Colon. 165.

1527. all that time, the insolence and brutality of the soldiers hardly abated. Their booty in ready money alone amounted to a million of ducats; what they raised by ransoms and exactions far exceeded that sum. Rome, though taken several different times by the northern nations, who overran the empire in the fifth and sixth centuries, was never treated with so much cruelty by the barbarous and heathen Huns, Vandals, or Goths, as now by the bigoted subjects of a catholic monarch [z].

The pope besieged in the castle of St. Angelo.

After Bourbon's death, the command of the imperial army devolved on Philibert de Chalons, prince of Orange, who with difficulty prevailed on as many of his soldiers to desist from the pillage, as were necessary to invest the castle of St. Angelo. Clement was immediately sensible of his errour in having retired into that ill-provided and untenable fort. But as the imperialists, scorning discipline, and intent only on plunder, pushed the siege with little vigour, he did not despair of holding out until the duke d'Urbino could come to his relief. That general advanced at the head of an army composed of Venetians, Florentines, and Swiss, in the pay of France, of sufficient strength to have delivered Clement from the present danger. But d'Urbino, preferring the indulgence of his hatred against the family of Medici to the glory of delivering the capital of christendom, and the head of the church, pronounced the enterprise to be too hazardous; and, from an exquisite refinement in revenge, having marched forward so far, that his army being seen from the ramparts of St. Angelo flattered the pope with the prospect of certain relief, he immediately wheeled about, and retired [a]. Clement, deprived of every resource, and reduced to such extremity of famine as to feed on asses' flesh [b], was obliged to capi-

[z] Jov. Vit. Colon. 166. Guic. lib. xviii. 440, etc. Comment. de Capta Urbe Romæ ap. Scardium, ii. 230. Ulloa, Vita di Carlo V. p. 110, etc. Giannonne, Hist. of Nap. b. xxxi. c. 3. p. 507.

[a] Guic. lib. xviii. 450. [b] Jov. Vit. Colon. 167.

pitulate on such conditions as the conquerors were pleased to prescribe. He agreed to pay four hundred thousand ducats to the army; to surrender to the emperor all the places of strength belonging to the church; and, besides giving hostages, to remain a prisoner himself until the chief articles were performed. He was committed to the care of Alarcon, who, by his severe vigilance in guarding Francis, had given full proof of his being qualified for that office; and thus, by a singular accident, the same man had the custody of the two most illustrious personages who had been made prisoners in Europe during several ages. 1527. June 6. Surrenders himself a prisoner.

The account of this extraordinary and unexpected event was no less surprising than agreeable to the emperor. But in order to conceal his joy from his subjects, who were filled with horrour at the success and crimes of their countrymen, and to lessen the indignation of the rest of Europe, he declared that Rome had been assaulted without any order from him. He wrote to all the princes with whom he was in alliance, disclaiming his having had any knowledge of Bourbon's intention[c]. He put himself and court into mourning; commanded the rejoicings which had been ordered for the birth of his son Philip to be stopped; and, employing an artifice no less hypocritical than gross, he appointed prayers and processions throughout all Spain for the recovery of the pope's liberty, which by an order to his generals, he could have immediately granted him[d]. The emperor's behaviour at this juncture.

The good fortune of the house of Austria was no less conspicuous in another part of Europe. Solyman having invaded Hungary with an army of three hundred thousand men, Lewis the second, king of that country, and of Bohemia, a weak and unexperienced prince, advanced rashly to meet him with a body of Solyman invades Hungary.

[c] Ruscelli, Lettere de' Principi, ii. 234.

[d] Sleid. 109. Sandov. i. 822. Mauroc. Hist. Veneta, lib. iii. 220.

1527. men, which did not amount to thirty thousand. With an imprudence still more unpardonable, he gave the command of these troops to Paul Tomorri, a franciscan monk, archbishop of Golocza. This awkward general, in the dress of his order, girt with its cord, marched at the head of the troops; and hurried on by his own presumption, as well as by the impetuosity of nobles who despised danger, but were impatient of long service, he fought the fatal battle of Mohacz, in which the king, the flower of the Hungarian nobility, and upwards of twenty thousand men, fell the victims of his folly and ill conduct. Solyman, after his victory, seized and kept possession of several towns of the greatest strength in the southern provinces of Hungary, and, overrunning the rest of the country, carried near two hundred thousand persons into captivity. As Lewis was the last male of the royal family of Jagellon, the archduke Ferdinand claimed both his crowns. This claim was founded on a double title; the one derived from the ancient pretensions of the house of Austria to both kingdoms; the other, from the right of his wife, the only sister of the deceased monarch. The feudal institutions, however, subsisted both in Hungary and Bohemia in such vigour, and the nobles possessed such extensive power, that the crowns were still elective, and Ferdinand's rights, if they had not been powerfully supported, would have met with little regard. But his own personal merit; the respect due to the brother of the greatest monarch in christendom; the necessity of choosing a prince able to afford his subjects some additional protection against the Turkish arms, which, as they had recently felt their power, they greatly dreaded; together with the intrigues of his sister, who had been married to the late king, overcame the prejudices which the Hungarians had conceived against the archduke as a foreigner; and, though a considerable party voted for the vaywode of Transylvania, at length secured Ferdinand the throne

Aug. 29, 1526. Defeat of the Hungarians, and death of their king.

Ferdinand elected king.

of that kingdom. The states of Bohemia imitated the example of their neighbour kingdom; but in order to ascertain and secure their own privileges, they obliged Ferdinand, before his coronation, to subscribe a deed, which they term a 'reverse,' declaring that he held that crown, not by any previous right, but by their gratuitous and voluntary election. By such a vast accession of territories, the hereditary possession of which they secured in process of time to their family, the princes of the house of Austria attained that preeminence in power which hath rendered them so formidable to the rest of Germany[e]. 1527.

Progress of the reformation.

The dissensions between the pope and emperor proved extremely favourable to the progress of lutheranism. Charles, exasperated by Clement's conduct, and fully employed in opposing the league which he had formed against him, had little inclination, and less leisure, to take any measures for suppressing the new opinions in Germany. In a diet of the empire held at Spires, the state of religion came to be considered; and all that the emperor required of the princes was, that they would wait patiently, and without encouraging innovations, for the meeting of a general council which he had demanded of the pope. They, in return, acknowledged the convocation of a council to be the proper and regular step towards reforming abuses in the church; but contended, that a national council held in Germany would be more effectual for that purpose than what he had proposed. To his advice, concerning the discouragement of innovations, they paid so little regard, that even during the meeting of the diet at Spires, the divines who attended the elector of Saxony and landgrave of Hesse-Cassel thither, preached publicly, and administered the sacraments, according to the rites of the reformed June 25, 1526.

[e] Steph. Broderick Procancellarii Hungar. Clades in Campo Mohacz, ap. Scardium, ii. 218. P. Barre, Hist. d'Allemagne, tom. viii. part. i. p. 198.

1527. church[f]. The emperor's own example emboldened the Germans to treat the papal authority with little reverence. During the heat of his resentment against Clement, he had published a long reply to an angry brief, which the pope had intended as an apology for his own conduct. In this manifesto, the emperor, after having enumerated many instances of that pontiff's ingratitude, deceit, and ambition, all which he painted in the strongest and most aggravated colours, appealed from him to a general council. At the same time he wrote to the college of cardinals, complaining of Clement's partiality and injustice; and requiring them, if he refused or delayed to call a council, to show their concern for the peace of the christian church, so shamefully neglected by its chief pastor, by summoning that assembly in their own name[g]. This manifesto, little inferior in virulence to the invectives of Luther himself, was dispersed over Germany with great industry; and, being eagerly read by persons of every rank, did much more than counterbalance the effect of all Charles's declarations against the new opinions.

[f] Sleid. p. 103.

[g] Goldast. Polit. Imper. p. 984.

THE END OF THE THIRD VOLUME.

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